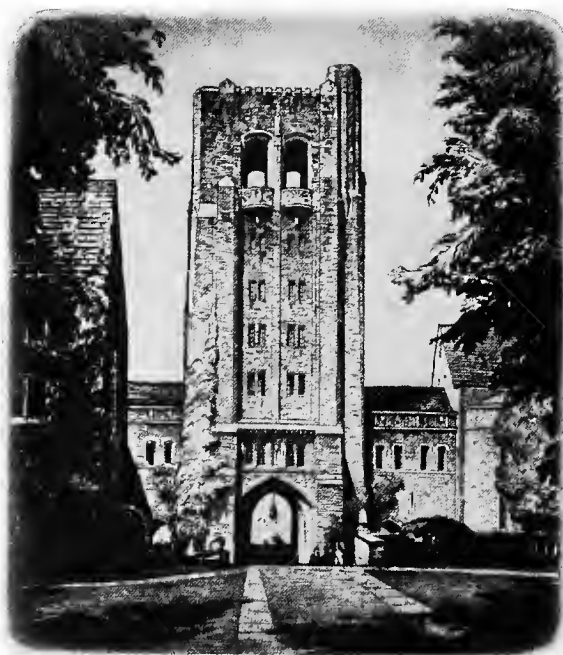


Jx  
236  
1873



Cornell Law School Library

Cornell University Library

**JX 236 1873**

suppl.

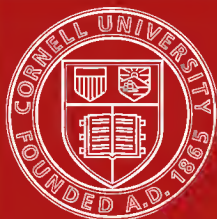
**Treaties and conventions concluded betwe**



**3 1924 016 941 472**

law





Cornell University  
Library

The original of this book is in  
the Cornell University Library.

There are no known copyright restrictions in  
the United States on the use of the text.























U. S. TREATIES, ETC.

Treaties and Conventions

concluded between

The U. S. and other Powers

---

Supplement, 1887-95.

---



L-65074

LA 5074

# Contents

Chile -- Claims

China -- Emigration

Colombia - Extradition

Congo - (1) Flag (2) Commerce

Denmark (1) Trade-marks (2) Claims

Ecuador - Claim of Santos

Great-Britain - (1) Extradition

(2) Flag of War

(3) Fur Seal Fisheries

(4) Banning Sea Treaties

(5) Deserter from Merchant Vessels

(6) Alaska Boundary re

(7) Boundary.

Greece - Joint-Stock Cos.

Japan - Commerce re.

Mexico - (1) Survey; (2) Boundary; (3) Harbours

(4) Harbours; (5) Boundary; (6) Boundary

Netherlands: (1) Trade-marks; (2) Extradition

Russia: (1) Extradition; (2) Fur-Seal Fisheries

Samoa: Neutrality & Govt.

Spain: Most Favoured Nation Clause.

Sweden: Extradition

Switzerland: Trade marks

Uruguay: (1) Claims; (2) Claim

International General Conventions:

(1) Exchange of Public Debt.

(2) ...

(over)

- (3) Publication of Customs Tariffs
- (4) Protection of Industrial Property



## CONVENTION

BETWEEN

THE UNITED STATES OF AMERICA AND THE REPUBLIC OF  
CHILE,

FOR THE SETTLEMENT OF CERTAIN CLAIMS OF THE CITIZENS  
OF EITHER COUNTRY AGAINST THE OTHER.

---

*Signed at Santiago August 7, 1892.*

*Ratification advised by the Senate December 8, 1892.*

*Ratified by the President of the United States December 16, 1892.*

*Ratifications exchanged January 26, 1893.*

*Proclaimed January 28, 1893.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

A PROCLAMATION.

Whereas, a Convention between the United States of America and the Republic of Chile, for the settlement of certain claims of the citizens of either country against the other, was concluded and signed by their respective plenipotentiaries, at the city of Santiago, on the seventh day of August, in the year one thousand eight hundred and ninety-two, which Convention is word for word as follows:

The United States of America and the Republic of Chile, animated by the desire to settle and adjust amicably the claims made by the citizens of either country against the government of the other, growing out of acts committed by the civil or military authorities of either country, have agreed to make arrangements for that purpose, by means of a Convention, and have named as their Plenipotentiaries to confer and agree thereupon as follows:

Los Estados Unidos de América i la República de Chile animados del deseo de arreglar i concluir amigablemente los reclamos hechos por ciudadanos de cualquiera de los dos países contra el Gobierno del otro, provenientes de actos cometidos por las autoridades civiles o militares de cualquiera de los dos países, han convenido en hacer un arreglo con ese fin, por medio de una Convencion i han nombrado sus Plenipotenciarios para tratar i convenir sobre lo espuesto, a saber:

The President of the United States of America, Patrick Egan, Envoy Extraordinary and Minister Plenipotentiary of the United States at Santiago, and the President of the Republic of Chile, Isidoro Errázuriz, Minister of Foreign Relations of Chile;

Who, after having communicated to each other their respective full powers, found in good and true form, have agreed upon the following articles:—

#### ARTICLE I.

All claims on the part of corporations, companies or private individuals, citizens of the United States, upon the Government of Chile, arising out of acts committed against the persons or property of citizens of the United States not in the service of the enemies of Chile, or voluntarily giving aid and comfort to the same, by the civil or military authorities of Chile; and on the other hand, all claims on the part of corporations, companies or private individuals, citizens of Chile, upon the Government of the United States, arising out of acts committed against the persons or property of citizens of Chile, not in the service of the enemies of the United States, or voluntarily giving aid and comfort to the same, by the civil or military authorities of the Government of the United States, shall be referred to three Commissioners, one of whom shall be named by the President of the United States, and one by the President of the Republic of Chile, and the third to be selected by mutual accord between the President of the United States and the President of Chile. In case the President of the United

El Presidente de los Estados Unidos al señor don Patricio Egan, Enviado Estraordinario i Ministro Plenipotenciario de los Estados Unidos en Santiago; i el Presidente de la República de Chile al señor don Isidoro Errázuriz, Ministro de Relaciones Exteriores de Chile.

Quienes, despues de haberse comunicado recíprocamente sus respectivos Plenos Poderes, i encontrádoslos en buena i debida forma, han convenido en los artículos siguientes:

#### ARTÍCULO I.

Todos los reclamos entablados por corporaciones, compañías o individuos privados, ciudadanos de los Estados Unidos, contra el Gobierno de Chile, derivados de actos cometidos por las autoridades civiles o militares de Chile contra las personas o propiedad de ciudadanos de los Estados Unidos que no estén al servicio de los enemigos de Chile, ni hayan prestado a estos voluntariamente ayuda i auxilio, i por la otra parte, todos los reclamos de corporaciones, compañías o individuos privados, ciudadanos de Chile, contra el Gobierno de los Estados Unidos, derivados de actos cometidos por las autoridades civiles o militares de los Estados Unidos contra las personas o propiedad de ciudadanos de Chile, que no estén al servicio de los enemigos de los Estados Unidos ni hayan prestado a estos voluntariamente ayuda i auxilio, serán sometidos a tres Comisionados, de los cuales uno será nombrado por el Presidente de los Estados Unidos de América, otro por el Presidente de la República de Chile i el tercero será elegido por mútuo acuerdo entre el Presidente de los Estados Unidos i el Presidente

States and the President of Chile shall not agree within three months from the exchange of the ratifications of this Convention to nominate such third Commissioner then said nomination of said third Commissioner shall be made by the President of the Swiss Confederation.

#### ARTICLE II.

The said Commission, thus constituted, shall be competent and obliged to examine and decide upon all claims of the aforesaid character presented to them by the citizens of either country.

#### ARTICLE III.

In case of the death, prolonged absence or incapacity to serve of one of the said Commissioners, or in the event of one Commissioner omitting, or declining, or ceasing to act as such, then the President of the United States, or the President of the Republic of Chile, or the President of the Swiss Confederation, as the case may be, shall forthwith proceed to fill the vacancy so occasioned by naming another Commissioner within three months from the occurrence of the vacancy.

#### ARTICLE IV.

The Commissioners named as hereinbefore provided shall meet in the City of Washington at the earliest convenient time within six months after the exchange of ratifications of this Convention, and shall, as their first act in so meeting, make and subscribe a solemn declaration that they will impartially and carefully examine and decide, to the best of

de Chile. En caso de que el Presidente de los Estados Unidos i el Presidente de Chile no se pusieren de acuerdo, dentro de los tres meses subsiguientes al canje de las ratificaciones de esta Convencion, acerca del nombramiento "del tercer Comisionado, el nombramiento de este tercer Comisionado será hecho por el Presidente de la Confederacion Suiza.

#### ARTÍCULO II.

La espresada Comision formada así, tendrá facultad i obligacion de examinar i decidir todos los reclamos de la naturaleza antes indicada que le fueren presentados por los ciudadanos de uno i otro pais.

#### ARTÍCULO III.

En caso de muerte, ausencia prolongada o incapacidad para servir de uno de los referidos Comisionados, o en el evento de que un Comisionado rehuse o cese de obrar como tal, el Presidente de los Estados Unidos o el Presidente de Chile o el Presidente de la Confederacion Suiza, segun fuere el caso, procederá sin demora a llenar la vacante así ocasionada, nombrando otro Comisionado dentro de los tres meses contados desde que ocurrió la vacante.

#### ARTÍCULO IV.

Los Comisionados nombrados en la forma antes establecida se reunirán en la ciudad de Washington a la mayor brevedad posible i dentro de los seis meses posteriores al canje de las ratificaciones de esta Convencion i como primer acto en esa reunion formularán i suscribirán una solemne declaracion de que ellos examinarán imparcial i cuidadosamente, segun

their judgment and according to public law, justice and equity, without fear, favor or affection, all claims within the description and true meaning of Articles I and II., which shall be laid before them on the part of the Governments of the United States and of Chile respectively; and such declaration shall be entered on the record of their proceedings; Provided, however, that the concurring judgment of any two Commissioners shall be adequate for every intermediate decision arising in the execution of their duty and for every final award.

#### ARTICLE V.

The Commissioners shall, without delay, after the organization of the Commission, proceed to examine and determine the claims specified in the preceding articles, and notice shall be given to the respective Governments of the day of their organization and readiness to proceed to the transaction of the business of the Commission. They shall investigate and decide said claims in such order and in such manner as they may think proper, but upon such evidence or information only as shall be furnished by or on behalf of the respective Governments. They shall be bound to receive and consider all written documents or statements which may be presented to them by or on behalf of the respective Governments in support of, or in answer to, any claim, and to hear, if required, one person on each side whom it shall be competent for each Government to name as its Counsel or Agent to present and support claims on its behalf, on each and every sep-

su mejor entender, i, de acuerdo con el derecho público, la justicia i la equidad, sin temor, favor, ni afeccion, todos los reclamos comprendidos en la enumeracion i verdadero significado de los artículos I i II, que les fueren presentados de parte de los Gobiernos de los Estados Unidos i de Chile, respectivamente; i tal declaracion será anotada en el acta; entendiéndose sin embargo que el juicio uniforme de dos Comisionados bastará para tomar cualquiera resolucion interlocutoria que se produzca en el ejercicio de sus funciones i para cualquiera sentencia definitiva.

#### ARTÍCULO V.

Los Comisionados procederán sin tardanza, una vez organizada la Comision, a examinar i ordenar los reclamos especificados en los artículos precedentes i darán aviso a sus Gobiernos respectivos del día de su organizacion i de hallarse prontos para iniciar los trabajos de la Comision. Ellos investigarán i decidirán los indicados reclamos en el órden i forma que juzguen propios, pero solo en vista de las pruebas o informaciones que les serán suministradas por o de la parte de los Gobiernos respectivos. Estarán obligados a recibir i tomar en cuenta todo documento o esposicion escritos que se les presentare por o de parte de los respectivos Gobiernos en apoyo o en contestacion a algun reclamo, i a oir, si se creyese necesario en todos o en cada uno de los reclamos separadamente, a una persona de cada lado que cada Gobierno está facultado para nombrar como su abogado o agente para presentar i sostener reclamos de su parte. Cada uno de los Gobiernos suminis-

arate claim. Each Government shall furnish at the request of the Commissioners, or of any two of them, the papers in its possession which may be important to the just determination of any of the claims laid before the Commission.

#### ARTICLE VI.

The concurring decisions of the Commissioners, or of any two of them, shall be conclusive and final. Said decisions shall in every case be given upon each individual claim, in writing, stating in the event of a pecuniary award being made, the amount or equivalent value of the same in gold coin of the United States; and in the event of interest being allowed on such award, the rate thereof and the period for which it is to be computed shall be fixed, which period shall not extend beyond the close of the Commission; and said decision shall be signed by the Commissioners concurring therein.

#### ARTICLE VII.

The High Contracting Parties hereby engage to consider the decision of the Commissioners, or of any two of them, as absolutely final and conclusive upon each claim decided upon by them, and to give full effect to such decisions without any objections, evasions, or delay whatever.

#### ARTICLE VIII.

Every claim shall be presented to the Commissioners within a period of two months reckoned from the day of their first meeting for business, after notice to the respective

trará, a petición de los Comisionados, o de cualesquiera dos de ellos, los papeles que posea i que sean de importancia para la justa apreciación de algunos de los reclamos presentados a la Comisión.

#### ARTÍCULO VI.

Las resoluciones unánimes de los Comisionados o de cualquiera dos de ellos serán concluyentes i definitivas. Tales decisiones serán pronuncianadas en cada caso sobre cada reclamo en particular, por escrito, estableciendo, en el caso de que se de una sentencia que importe un pago, el monto o valor equivalente de la suma en moneda de oro de los Estados Unidos, i en el caso de que en tal sentencia se concedan intereses, deberá fijarse el tipo de estos i el período durante el cual deban ser computados, período que no deberá estenderse mas allá de la clausura de la Comisión, i el referido fallo será suscrito por los Comisionados que hubieren tomado parte en él.

#### ARTÍCULO VII.

Las Altas Partes Contratantes se comprometen a considerar la decisión de los Comisionados o de cualesquiera dos de ellos, como absolutamente final i concluyente sobre cada reclamo resuelto por ellos i a dar cumplido efecto a cada sentencia sin objeciones, evasivas o dilatorias de cualquiera clase.

#### ARTÍCULO VIII.

Cada reclamo será presentado a los Comisionados dentro del período de dos meses contados desde el día de su primera sesión de trabajo, después de haber comunicado el hecho a los

Governments as prescribed in Article V of this Convention. Nevertheless, where reasons for delay shall be established to the satisfaction of the Commissioners, or of any two of them, the period for presenting the claim may be extended by them to any time not exceeding two months longer.

The Commissioners shall be bound to examine and decide upon every claim within six months from the day of their first meeting for business as aforesaid; which period shall not be extended except only in case of the proceedings of the Commission shall be interrupted by the death, incapacity, retirement or cessation of the functions of any one of the Commissioners, in which event the period of six months herein prescribed shall not be held to include the time during which such interruption may actually exist.

It shall be competent in each case for the said Commissioners to decide whether any claim has, or has not, been duly made, preferred, and laid before them, either wholly, or to any and what extent, according to the true intent and meaning of this Convention.

#### ARTICLE IX.

All sums of money which may be awarded by the Commissioners as aforesaid, shall be paid by the one Government to the other, as the case may be, at the capital of the Government to receive such payment, within six months after the date of the final award, without interest, and without any deduction save as specified in Article X.

respectivos Gobiernos, como lo prescribe el artículo V de esta convencion. Sin embargo, si se alegaren, en favor del retardo, razones satisfactorias para los Comisionados o para cualesquiera dos de ellos, el plazo para presentar el reclamo puede ser estendido por ellos dentro de un período que no exceda de dos meses.

Los Comisionados estarán obligados a examinar i resolver cada reclamo dentro de los seis meses contados desde el día de su primera reunion de trabajo, como antes se ha dicho, cuyo período no será ampliado escepto solamente en al caso de que los trabajos de la Comision fueran interrumpidos por la muerte, incapacidad, retiro o cesacion de funciones de algunos de los Comisionados, i, en este caso, el período de seis meses aquí prescrito no se extenderá que abraza el tiempo durante el cual tal interrupcion pueda durar.

Los referidos Comisionados están facultados para decidir en cada caso si un reclamo ha sido o no debidamente hecho, espuesto, presentado i sostenido ante ellos, ya fuese en el todo o en alguna parte, de acuerdo con el verdadero propósito e inteligencia de esta Convencion.

#### ARTÍCULO IX.

Todas las sumas en dinero que los Comisionados ordenaren pagar, en la forma anterior, serán cubiertas por un Gobierno al otro, segun fuere el caso, de manera que el Gobierno pueda recibir en su capital dicho pago, dentro de los seis meses posteriores a la fecha de la sentencia definitiva, sin intereses i sin otra deducion que la especificada en el artículo X.

## ARTICLE X.

The Commissioners shall keep an accurate record and correct minutes or notes of all their proceedings, with the dates thereof; and the Governments of the United States and of Chile may each appoint and employ a Secretary versed in the languages of both countries, and the Commissioners may appoint any other necessary officer or officers to assist them in the transaction of the business which may come before them.

Each Government shall pay its own Commissioner, Secretary and Agent or Counsel, and at the same or equivalent rates of compensation, as near as may be, for like officers on the one side as on the other. All other expenses, including the compensation of the third Commissioner, which latter shall be equal or equivalent to that of the other Commissioners shall be defrayed by the two Governments in equal moieties.

The whole expenses of the Commission, including contingent expenses, shall be defrayed by a ratable deduction on the amount of the sums awarded by the Commissioners, provided always that such deductions shall not exceed the rate of five per centum on the sum so awarded. If the whole expenses shall exceed this rate, then the excess of expense shall be defrayed jointly by the two Governments in equal moieties.

## ARTICLE XI.

The High Contracting Parties agree to consider the result of the proceedings of the Commission provided for by this Convention as a full, perfect and final settlement of any and every claim upon either Gov-

## ARTÍCULO X.

Los Comisionados llevarán un prolijo registro i correctas actas o notas de todos los procedimientos con sus respectivas fechas, i los Gobiernos de los Estados Unidos i de Chile pueden cada cual nombrar i ocupar un Secretario versado en el idioma de ambos países, i los Comisionados pueden nombrar algun otro empleado o empleados necesarios que les ayuden en el despacho de los asuntos que pendieren ante ellos.

Cada Gobierno pagará su propio Comisionado, Secretario y Ajente o abogado, i la remuneracion será tan equivalente cuanto fuere posible para los empleados de una u otra parte.

Todos los demas gastos, incluyendo la remuneracion del tercer Comisionado, la cual será igual o equivalente a la de los otros Comisionados, será pagado por los dos Gobiernos por mitad.

Todos los gastos de la Comision, incluyendo desembolsos imprevistos, serán pagados con una deduccion a prorrata del monto de las sumas falladas por la Comision, con tal que dicha deduccion no exceda la cuota del cinco por ciento de las sumas falladas. Si el valor total de los gastos excediere esta cantidad, el exceso de gastos será pagado juntamente i por mitad por los dos Gobiernos.

## ARTÍCULO XI.

Las Altas Partes Contratantes convienen en considerar el resultado de los trabajos de la Comision establecida por esta Convencion como un arreglo completo, perfecto i final de todos i de cada uno de los reclamos contra

ernment within the description and true meaning of Articles I and II; and that every such claim, whether or not the same may have been presented to the notice of, made, preferred or laid before the said Commission, shall, from and after the conclusion of the proceedings of the said Commission, be treated and considered as finally settled, concluded and barred.

## ARTICLE XII.

The present Convention shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof and by the President of the Republic of Chile, with the consent and approbation of the Congress of the same, and the ratifications shall be exchanged at Washington, at as early a day as may be possible within six months from the date hereof.

In testimony whereof the respective Plenipotentiaries have signed the present Convention, in the English and Spanish languages, in duplicate, and hereunto affixed their respective seals.

Done at the city of Santiago the seventh day of August, in the year of our Lord one thousand eight hundred and ninety-two.

[SEAL.] PATRICK EGAN.

[SEAL.] ISIDORO ERRÁZURIZ.

uno i otro Gobierno, dentro de la prescripcion i verdadera intelijencia de los artículos I i II; i que cada reclamo, ya sea que se haya o no elevado a conocimiento, formulado, sometido i sostenido ante la referida Comision, será, desde la conclusion de los trabajos de la Comision, considerado i tenido como finalmente resuelto, concluido i finiquitado.

## ARTÍCULO XII.

La presente Convencion será ratificada por el Presidente de los Estados Unidos, con el consejo i acuerdo del Senado, i por el Presidente de la República de Chile, con el consentimiento i aprobacion del Congreso de la misma, i las ratificaciones serán canjeadas en Washington en el mas breve plazo posible dentro de los seis meses contados desde esta fecha.

En testimonio de lo cual los respectivos Plenipotenciarios han firmado la presente Convencion en los idiomas inglés i español, por duplicado, i le han puesto aquí sus sellos respectivos.

Hecha en la ciudad de Santiago el día siete de Agosto de 1892.

PATRICK EGAN. [SEAL.]

ISIDORO ERRÁZURIZ. [SEAL.]

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the city of Washington on the twenty-sixth day of January, one thousand eight hundred and ninety-three.

Now, therefore, be it known that I, BENJAMIN HARRISON, President of the United States of America, have caused the said convention to be made public, to the end that the same and every article and clause thereof may be observed and



fulfilled with good faith by the United States and the citizens thereof.

In witness whereof I have hereunto set my hand, and caused the seal of the United States to be affixed.

- Done at the city of Washington this twenty-eighth day of January, in the year of our Lord, one thousand [SEAL.] eight hundred and ninety-three, and of the Independence of the United States the one hundred and seventeenth.

BENJ HARRISON

By the President:

JOHN W. FOSTER

*Secretary of State.*



## CONVENTION

BETWEEN

THE UNITED STATES OF AMERICA AND THE EMPIRE OF  
CHINA.

---

EMIGRATION BETWEEN THE TWO COUNTRIES.

---

*Signed at Washington March 17, 1894.*

*Ratification advised by the Senate August 13, 1894.*

*Ratified by the President August 22, 1894.*

*Ratified by the Emperor of China in due form.*

*Ratifications exchanged at Washington December 7, 1894.*

*Proclaimed December 8, 1894.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Whereas, a Convention between the United States of America and China, concerning the subject of emigration between those two countries, was concluded and signed by their respective Plenipotentiaries at the City of Washington on the 17th day of March, one thousand eight hundred and ninety-four, which Convention is word for word as follows:

Whereas, on the 17th day of November A. D. 1880, and of Kwanghsü, the sixth year, tenth moon, fifteenth day, a Treaty was concluded between the United States and China for the purpose of regulating, limiting, or suspending the coming of Chinese laborers to, and their residence in, the United States;

And whereas the Government of China, in view of the antagonism and much deprecated and serious disorders to which the presence of Chinese laborers has given rise in certain parts of the United States, desires to prohibit the emigration of such laborers from China to the United States;

And whereas the two Governments desire to coöperate in prohibiting such emigration, and to strengthen in other ways the bonds of friendship between the two countries;

---

And whereas the two Governments are desirous of adopting reciprocal measures for the better protection of the citizens or subjects of each within the jurisdiction of the other ;

Now, therefore, the President of the United States has appointed Walter Q. Gresham, Secretary of State of the United States, as his Plenipotentiary, and His Imperial Majesty, the Emperor of China has appointed Yang Yü, Officer of the second rank, Sub-Director of the Court of Sacrificial Worship, and Envoy Extraordinary and Minister Plenipotentiary to the United States of America, as his Plenipotentiary ; and the said Plenipotentiaries having exhibited their respective Full Powers found to be in due and good form, have agreed upon the following articles :

#### ARTICLE I.

The High Contracting Parties agree that for a period of ten years, beginning with the date of the exchange of the ratifications of this Convention, the coming, except under the conditions hereinafter specified, of Chinese laborers to the United States shall be absolutely prohibited.

#### ARTICLE II.

The preceding Article shall not apply to the return to the United States of any registered Chinese laborer who has a lawful wife, child, or parent in the United States, or property therein of the value of one thousand dollars, or debts of like amount due him and pending settlement. Nevertheless every such Chinese laborer shall, before leaving the United States, deposit, as a condition of his return, with the collector of customs of the district from which he departs, a full description in writing of his family, or property, or debts, as aforesaid, and shall be furnished by said collector with such certificate of his right to return under this Treaty as the laws of the United States may now or hereafter prescribe and not inconsistent with the provisions of this Treaty ; and should the written description aforesaid be proved to be false, the right of return thereunder, or of continued residence after return, shall in each case be forfeited. And such right of return to the United States shall be exercised within one year from the date of leaving the United States ; but such right of return to the United States may be extended for an additional period, not to exceed one year, in cases where by reason of sickness or other cause of disability beyond his control, such Chinese laborer shall be rendered unable sooner to return—which facts shall be fully reported to the Chinese consul at the port of departure, and by him certified, to the satisfaction of the collector of the port at which such Chinese subject shall land in the United States. And no such Chinese laborer shall be permitted to enter the United States by land or sea without producing to the proper officer of the customs the return certificate herein required.

#### ARTICLE III.

The provisions of this Convention shall not affect the right at present enjoyed of Chinese subjects, being officials, teachers, students, merchants or

travellers for curiosity or pleasure, but not laborers, of coming to the United States and residing therein. To entitle such Chinese subjects as are above described to admission into the United States, they may produce a certificate from their Government or the Government where they last resided viséd by the diplomatic or consular representative of the United States in the country or port whence they depart.

It is also agreed that Chinese laborers shall continue to enjoy the privilege of transit across the territory of the United States in the course of their journey to or from other countries, subject to such regulations by the Government of the United States as may be necessary to prevent said privilege of transit from being abused.

#### ARTICLE IV.

In pursuance of Article III of the Immigration Treaty between the United States and China, signed at Peking on the 17th day of November, 1880, (the 15th day of the tenth month of Kwanghsü, sixth year) it is hereby understood and agreed that Chinese laborers or Chinese of any other class, either permanently or temporarily residing in the United States, shall have for the protection of their persons and property all rights that are given by the laws of the United States to citizens of the most favored nation, excepting the right to become naturalized citizens. And the Government of the United States reaffirms its obligation, as stated in said Article III, to exert all its power to secure protection to the persons and property of all Chinese subjects in the United States.

#### ARTICLE V.

The Government of the United States, having by an Act of the Congress, approved May 5, 1892, as amended by an Act approved November 3, 1893, required all Chinese laborers lawfully within the limits of the United States before the passage of the first named Act to be registered as in said Acts provided, with a view of affording them better protection, the Chinese Government will not object to the enforcement of such acts, and reciprocally the Government of the United States recognizes the right of the Government of China to enact and enforce similar laws or regulations for the registration, free of charge, of all laborers, skilled or unskilled, (not merchants as defined by said Acts of Congress), citizens of the United States in China, whether residing within or without the treaty ports.

And the Government of the United States agrees that within twelve months from the date of the exchange of the ratifications of this Convention, and annually, thereafter, it will furnish to the Government of China registers or reports showing the full name, age, occupation and number or place of residence of all other citizens of the United States, including missionaries, residing both within and without the treaty ports of China, not including, however, diplomatic and other officers of the United States residing or travelling in China upon official business, together with their body and household servants.

## ARTICLE VI.

This Convention shall remain in force for a period of ten years beginning with the date of the exchange of ratifications, and, if six months before the expiration of the said period of ten years, neither Government shall have formally given notice of its final termination to the other, it shall remain in full force for another like period of ten years.

In faith whereof, we, the respective plenipotentiaries, have signed this Convention and have hereunto affixed our seals.

Done, in duplicate, at Washington, the 17th day of March, A. D. 1894.

WALTER Q. GRESHAM [SEAL.]  
(Chinese Signature) [SEAL.]

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Washington on the 7th day of December one thousand eight hundred and ninety-four.

Now, therefore, be it known that I, GROVER CLEVELAND, President of the United States of America, have caused the said Convention to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 8th day of  
December, in the year of our Lord, one thousand eight hundred and ninety-four, and of the  
[SEAL.] Independence of the United States the one hundred and nineteenth.

GROVER CLEVELAND

By the President :

W. Q. GRESHAM  
*Secretary of State.*

# CONVENTION

BETWEEN

THE UNITED STATES OF AMERICA AND THE REPUBLIC OF  
COLOMBIA.

---

## EXTRADITION OF CRIMINALS.

---

*Signed at Bogotá May 7, 1888.*

*Ratification, with amendments, advised by the Senate March 26, 1889.*

*Ratification, with amendments proposed by Colombia, advised February 27,  
1890.*

*Ratified by the President of the United States March 12, 1890.*

*Ratified by the President of Colombia October 30, 1890.*

*Ratifications exchanged at Bogotá November 12, 1890.*

*Proclaimed February 6, 1891.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

### A. PROCLAMATION.

Whereas a Convention for the extradition of criminals between the United States of America and the Republic of Colombia was concluded and signed, by their respective Plenipotentiaries, at the City of Bogotá, on the seventh day of May, 1888, the original of which Convention, as amended by the Senate of the United States, and being in the English and Spanish languages, is word for word as follows:

*Convention, for the reciprocal extradition of criminals, between the United States of America, and the Republic of Colombia.*

The President of the United States of America, and the President of the Republic of Colombia, with the view of facilitating the administration of justice and to insure the suppression of crimes, which may be committed within the territories and jurisdictions of the two countries and the

El Presidente de la República de Colombia, y el Presidente de los Estados Unidos de América, con la mira de facilitar la administración de justicia, y de asegurar la represión de los delitos que puedan cometerse en los territorios de las dos Naciones, y cuyos responsables intenten eludir

perpetrators of which may attempt to escape punishment by leaving one country, and taking refuge in the other, have agreed to conclude a Convention establishing rules for the reciprocal extradition of persons accused or convicted of the crimes hereinafter enumerated.

And they have for that purpose authorized and empowered their respective Plenipotentiaries, to wit:—

The President of the United States of America—John G. Walker, Chargé d’Affaires *ad interim*, and the President of the Republic of Colombia—Vicente Restrepo, Minister of Foreign Affairs, who after communicating to each other their respective full powers, which are found to be in due form, have agreed upon the following articles:

#### ARTICLE I.

The Government of the United States of America, and the Government of the Republic of Colombia, under the restrictions and limitations hereinafter contained, agree to deliver, reciprocally, all persons accused, or convicted, as principals or accessories, of any of the crimes mentioned in Article II of this Convention, committed within territories or jurisdiction of the one and who are found within the territories or jurisdiction of the other Government.

#### ARTICLE II.

The crimes for which extradition is to be reciprocally accorded, are as follows:

1. Murder and attempts to commit murder, by assault, poison or otherwise.

la pena huyendo del un país y refugiándose en el otro, han resuelto celebrar una Convención en que se establezcan reglas precisas, fundadas en perfecta reciprocidad, para la extradición de los acusados ó condenados por los delitos que se especificarán:

En consecuencia, nombraron con tal objeto sus respectivos Plenipotenciarios, á saber:

El Presidente de la República de Colombia á Vicente Restrepo, Ministro de Relaciones Exteriores, y el Presidente de los Estados Unidos de América á John G. Walker, Encargado de Negocios *ad interim*, los cuales, después de haberse comunicado sus plenos poderes y hallándolos en la forma debida, han convenido en lo siguiente:

#### ARTÍCULO I.

El Gobierno de la República de Colombia y el Gobierno de los Estados Unidos de América, con las restricciones que adelante se expresarán, convienen en entregarse recíprocamente todas las personas sindicadas ó convictas como autores principales ó como cómplices de cualquiera de los delitos enumerados en el Artículo II de esta Convención, cometidos dentro de la jurisdicción del uno, las cuales se encuentren dentro de la jurisdicción del otro Gobierno.

#### ARTÍCULO II.

Los delitos por los cuales se concede recíprocamente la extradición, son los siguientes:

1. Homicidio calificado y tentativa de cometerlo por agresión, envenenamiento ó de otro modo.



2. Counterfeiting, or altering money, or knowingly uttering or bringing into circulation counterfeit or altered money; counterfeiting or altering certificates or coupons of public indebtedness, bank notes or other instruments of public credit; or knowingly uttering or circulating the same.

3. Forgery, or altering, or uttering what is forged or altered.

4. Embezzlement, being the criminal misapplication of public or private funds, documents or property; or the funds, documents or property of municipal or other corporations, held in trust by a public officer, or as a fiduciary agent, or a confidential employé.

5. Robbery.

6. Burglary, defined to be the breaking into or entering, either in day or night time, the house, office or other building of a government, corporation or private person, with the intent of committing a felony therein.

7. Perjury, or the subornation of perjury

8. Rape,

9. Arson

10. Piracy, as defined by the Law of Nations.

11. Murder, manslaughter, or assault with intent to kill, on the high seas, on board of vessels sailing under the flag of the demanding party.

12. Malicious destruction, or attempted destruction, of railways, bridges, tramways, vessels, dwellings, public edifices, or other buildings, when the act endangers human life.

2. Falsificación ó alteración de la moneda, ó emisión ó circulación á sabiendas de moneda falsa ó alterada; falsificación de certificados ó de cupones de la deuda pública, de billetes de banco ó de otros documentos de crédito público, ó la emisión ó circulación de los mismos á sabiendas.

3. Imitación, ó alteración ó emisión de lo que ya está imitado ó alterado.

4. Malversación de caudales públicos ó particulares, documentos ó intereses; ó de los caudales, documentos ó intereses de corporaciones municipales ó de otro género, confiados á un empleado público, á un agente fiduciario ó á una persona de confianza.

5. Robo.

6. Escalamiento, consistente en la ruptura, ó en la entrada, de día ó de noche, á alguna casa, oficina ú otro cualquiera edificio de algún gobierno, corporación ó individuo particular con propósito de cometer algun delito.

7. Perjurio ó instigación á perjurio.

8. Rapto.

9. Incendio.

10. Piratería, como la define el Derecho de gentes.

11. Homicidio calificado ó simple, ó agresión con intento de matar en alta mar, á bordo de los buques que naveguen bajo el pabellón de la parte demandante.

12. La destrucción maliciosa, ó la tentativa de destrucción de ferrocarriles, puentes, tranvías, embarcaciones, habitaciones, edificios públicos, ó cualesquiera otras construcciones, siempre que el hecho ponga en peligro la vida de los hombres.

## ARTICLE III.

When the extradition of a criminal, charged or convicted of any of the foregoing offenses, is demanded, it must be supported by the production of a duly authenticated warrant of arrest, made in accordance with the laws of the country making the demand, and the depositions upon which it is based.

If the person whose extradition is demanded has already been convicted, the demand must be accompanied by a duly authenticated copy of the sentence of the court in which he was convicted, and with the attestation of the proper executive authority; the latter of which must be certified by the Minister or Consul of the Government upon which the demand is made.

## ARTICLE IV.

If the person demanded be held for trial in the country on which the demand is made, it shall be optional with the latter to grant extradition, or to proceed with the trial: Provided, that unless the trial shall be for the crime for which the fugitive is claimed, the delay shall not prevent ultimate extradition.

## ARTICLE V

If it be made to appear that the extradition is sought with the view of trying or punishing the person demanded for an offense of a political character, surrender shall not take place; nor shall any person surrendered be tried or punished for a political offense, committed previously to extradition, or for any offense other than that for which extradition was granted.

## ARTÍCULO III.

Cuando se solicite la extradición de un individuo acusado de cualquiera de los crímenes ó delitos ya expresados, la petición deberá estar apoyada en la orden legalizada del arresto, extendida conforme á las leyes del país que la hace y en las disposiciones en que se basa. Si el individuo, cuya extradición se exige, hubiere sido ya convicto, la solicitud habrá de estar acompañada de la respectiva copia auténtica de la sentencia del Tribunal por la cual se le declaró convicto, y con la atestación del correspondiente empleado ejecutivo, documento que estará revestido de la legalización del Ministro ó Cónsul del Gobierno ante el cual se hace la petición.

## ARTÍCULO IV.

Si la persona pedida se hallare sometida á juicio en el país al cual se pide, queda al Gobierno de éste último la opción de conceder la extradición ó continuar el juicio, y en esta suposición el aplazamiento no ha de impedir posterior extradición por estar el individuo reclamado sometido á juicio por un delito idéntico.

## ARTÍCULO V.

Si apareciere que la extradición se solicita con el propósito de someter á juicio y castigar á un individuo por una falta de carácter político, no tendrá lugar la entrega. Tampoco será juzgado ó castigado ningún individuo cuya entrega se haya efectuado por faltas políticas, cometidas antes de la extradición, ni por otro delito que aquél que se alegó para exigir la extradición.

## ARTICLE VI

The requisition for extradition shall be made through the diplomatic agents of the contracting parties, or in the event of the absence of these from the country or from the seat of government, by superior consular officers. The fugitive shall be surrendered only on such evidence of criminality as would justify his arrest and trial under the laws of the country where he is found, had the crime been there committed.

## ARTICLE VII

On being informed by telegraph, or other written communication, through the diplomatic channel, that a lawful warrant has been issued, by a competent authority, upon probable cause, for the arrest of a fugitive criminal, charged with any of the crimes enumerated in Article II of this Convention, and on being assured, through the same source, that a request for the surrender of such criminal is about to be made, in accordance with the provisions of this Convention, each government will endeavor to procure, so far as it lawfully may, the personal arrest of such criminal, and may keep him in safe custody, for a reasonable time, not exceeding three months, to await the production of the documents, upon which the claim for extradition is founded.

## ARTICLE VIII

When a person is extradited under the formalities prescribed in this Convention, all documents and other objects, which may tend to establish his guilt, may be delivered to the de-

## ARTÍCULO VI.

La solicitud de extradición se hará por medio de los Agentes diplomáticos de las partes contratantes, y en el caso de hallarse éstos ausentes del país ó de la Capital, por los empleados consulares superiores. El prófugo no podrá ser entregado sino en tanto que las pruebas de su culpabilidad sean tales que justificarian el arresto y el seguimiento de causa conforme á las leyes del país en que se le halle si en ese país hubiera cometido el delito.

## ARTÍCULO VII.

Al recibirse informe por parte telegráfico ó por otra comunicación escrita por el conducto diplomático, de que se ha dictado alguna providencia legal por autoridades competentes, sustentada en causa probable, para el arresto de un reo prófugo, complicado en alguno ó algunos de los delitos enumerados en el Artículo II de esta Convención, y al tener seguridad por el mismo órgano de que se solicitará el arresto del mismo reo, de acuerdo con los términos de esta Convención, cada Gobierno procurará, en cuanto legalmente le sea posible, el arresto personal de dicho reo, y lo podrá tener custodiado por un tiempo razonable, que no ha de exceder de tres meses, hasta la presentación de los documentos en que se funde la reclamación de extradición.

## ARTÍCULO VIII.

Cuando una persona fuere entregada segun las formalidades prescritas en esta Convención, todos los documentos y los demas objetos que de alguna manera tiendan á probar

manding Government, as well as all money or effects which he may have or may have had in his possession or subject to his control, the unlawful possession or taking of which constitutes the offense, in whole or in part, for which his extradition is requested.

#### ARTICLE IX

In case a person, who is equally a foreigner in the United States of America and in the Republic of Colombia, takes refuge in either country, after having committed any of the foregoing crimes, within one or the other jurisdiction, extradition can be accorded only after the Government, or its Representative, of which the criminal is a citizen or subject, has been duly informed, and afforded an opportunity to file objections to the extradition.

#### ARTICLE X

Neither of the high contracting parties shall be bound to deliver up its own citizens, under the stipulations of this Convention,

#### ARTICLE XI

The fact that the person whose extradition is demanded, has contracted obligations of which extradition would hinder the performance, shall be no bar to his extradition.

#### ARTICLE XII

The expenses of the arrest, detention, examination and transportation of the accused shall be paid by the Government requesting the extradition.

#### ARTICLE XIII

The present Convention shall commence to be effective sixty days after

su culpabilidad, podrán ser entregados al Gobierno reclamante, así como también todo el dinero y efectos que tuviere en su poder ó se hallaren bajo su dependencia, efectos cuya posesión ilegal constituya el delito, en todo ó en parte, por el cual se solicita la extradición.

#### ARTÍCULO IX.

En caso que se solicite la extradición de una persona que sea igualmente extranjera en la República de Colombia y en los Estados Unidos de América, aquella no se concederá mientras el Gobierno ó el Representante del país del cual es dicho criminal ciudadano ó súbdito, haya tenido oportunidad de hacer objeciones á la extradición.

#### ARTÍCULO X.

Ninguna de las altas partes contratantes será obligada á entregar sus propios ciudadanos segun las estipulaciones de esta Convención.

#### ARTÍCULO XI.

El hecho de que la persona cuya extradición se demanda tenga contraídas obligaciones cuyo cumplimiento hubiera de ser impedido por la extradición, no será obstáculo para efectuar esta.

#### ARTÍCULO XII.

Los gastos de captura, detención, examen y conducción del individuo acusado, serán pagados por el Gobierno que pida la extradición.

#### ARTÍCULO XIII.

La presente Convención entrará en vigor sesenta días despues del

the exchange of ratifications thereof, but offenses committed, anterior to that time, shall furnish no grounds for a demand for extradition. For the termination of this convention twelve months notice must be given by either of the high contracting parties.

This Convention shall be ratified, and the ratifications exchanged in the City of Bogotá, as soon as possible.

In faith whereof, we, the Plenipotentiaries of the United States of America, and of the Republic of Colombia, have signed and sealed these presents, in the City of Bogotá, this seventh day of May in the year of Our Lord one thousand eight hundred and eighty-eight.

[SEAL.] JOHN G. WALKER.

[SEAL.] VICENTE RESTREPO

cambio de las ratificaciones; pero los delitos cometidos con anterioridad á ese tiempo, no quedarán comprendidos en los casos de extradición. Si alguna de las altas partes contratantes deseara hacer cesar esta Convención, deberá comunicarlo á la otra con doce meses de anticipación.

Esta Convención será ratificada y las ratificaciones canjeadas en la ciudad de Bogotá tan pronto como sea posible.

En fé de lo cual, nosotros, los Plenipotenciarios de la República de Colombia y de los Estados Unidos de América, hemos firmado y sellado las presentes en la ciudad de Bogotá, el día siete de Mayo en el año de Nuestro Señor mil ochocientos ochenta y ocho.

[SEAL.] VICENTE RESTREPO.

[SEAL.] JOHN G. WALKER.

And whereas the said Convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged at the City of Bogotá, on the twelfth day of November, 1890;

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the said Convention to be made public, as amended, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 6th day of February in the year of our Lord one thousand eight hun-

[SEAL.] dred and ninety-one, and of the Independence of the United States the one hundred and fifteenth.

BENJ HARRISON

By the President:

JAMES G. BLAINE

*Secretary of State.*



DECLARATION BY THE INTERNATIONAL ASSOCIATION OF THE  
CONGO.

The International Association of the Congo, hereby declares that by Treaties with the legitimate sovereigns in the basins of the Congo and of the Niadi-Kiahm and in adjacent territories upon the Atlantic, there has been ceded to it, territory for the use and benefit of free States established and being established under the care and supervision of the said Association in said basins and adjacent territories, to which cession the said free States of right succeed.

That the said International Association has adopted for itself and for the said Free States, as their standard, the flag of the International African Association, being a blue flag with a golden star in the center.

That the said Association and the said States have resolved to levy no Custom-House duties upon goods or articles of merchandise imported into their territories or brought by the route which has been constructed around the Congo cataracts; this they have done with a view of enabling commerce to penetrate into Equatorial Africa.

That they guarantee to foreigners settling in their territories the right to purchase, sell or lease, lands and buildings situated therein, to establish commercial houses and to there carry on trade upon the sole condition that they shall obey the laws. They pledge themselves, moreover, never to grant to the citizens of one nation any advantages without immediately extending the same to the citizens of all other nations, and to do all in their power to prevent the Slave trade.

In testimony whereof, Henry S. Sanford, duly empowered therefore, by the said Association, acting for itself and for the said Free States, has hereunto set his hand and affixed his seal, this 22d day of April, 1884, in the city of Washington.

[SEAL.]

H. S. SANFORD





## RECOGNITION OF THE FLAG OF THE KONGO FREE STATE BY THE UNITED STATES.

Frederick T. Frelinghuysen, Secretary of State, duly empowered therefor by the President of the United States of America, and pursuant to the advice and consent of the Senate, heretofore given, acknowledges the receipt of the foregoing notification from the International Association of the Kongo, and declares that, in harmony with the traditional policy of the United States, which enjoins a proper regard for the commercial interests of their citizens while, at the same time, avoiding interference with controversies between other powers as well as alliances with foreign nations, the Government of the United States announces its sympathy with, and approval of, the humane and benevolent purposes of the International Association of the Kongo, administering, as it does, the interests of the Free States there established, and will order the officers of the United States, both on land and sea, to recognize the flag of the International African Association, as the flag of a friendly Government.

In testimony whereof, he has hereunto set his hand and affixed his seal, this twenty-second day of April, A. D. 1884, in the city of Washington.

[SEAL.]

FREDK T. FRELINGHUYSEN.



# TREATY

BETWEEN

THE UNITED STATES OF AMERICA AND THE INDEPENDENT  
STATE OF THE CONGO.

AMITY, COMMERCE, AND NAVIGATION.

---

*Concluded at Brussels January 24, 1891.*

*Ratification advised by the Senate January 11, 1892.*

*Ratified by the President January 19, 1892.*

*Ratified by the Sovereign King of the Independent State of the Congo February 2, 1892.*

*Ratifications exchanged February 2, 1892.*

*Proclaimed April 2, 1892.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

## A PROCLAMATION.

Whereas a Treaty of Amity, Commerce and Navigation, between the United States of America and the Independent State of the Congo, was signed by their Plenipotentiaries at the City of Brussels, on the 24th, day of January, 1891, the original of which Treaty, being in the English and French languages, and as amended by the Senate of the United States, is word for word as follows:

### TREATY OF AMITY, COMMERCE AND NAVIGATION.

The United States of America, and  
His Majesty Leopold II, King of  
the Belgians, Sovereign of the In-  
dependent State of the Congo,  
desiring to perpetuate, confirm and  
encourage the relations of commerce  
and of good understanding existing  
already between the two respective  
countries by the conclusion of a

Les Etats-Unis d'Amérique, et  
Sa Majesté Léopold II, Roi des  
Belges, Souverain de l'Etat Indé-  
pendant du Congo,  
désirant consacrer, confirmer et en-  
courager les rapports de commerce  
et de bonne intelligence existant déjà  
entre les deux pays respectifs par la  
conclusion d'un traité d'amitié, de

treaty of amity, commerce, navigation and extradition, have for this purpose named as their respective plenipotentiaries, viz:

His Excellency, the President of the United States of America,

Edwin H. Terrell, Envoy Extraordinary and Minister Plenipotentiary of the United States of America near His Majesty the King of the Belgians; and

His Majesty, Leopold II King of the Belgians, Sovereign of the Independent State of the Congo,

Edm. Van Eetvelde, Administrator General of the Department of Foreign Affairs; Officer of His Order of Leopold,

who, after having communicated to each other their full powers, found in good and due form, have agreed upon the following articles:

#### ARTICLE I.

There shall be full, entire and reciprocal liberty of commerce, establishment and navigation between the citizens and inhabitants of the two High contracting Parties.

The citizens and inhabitants of the United States of America in the Independent State of the Congo and those of the Independent State of the Congo in the United States of America shall have reciprocally the right, on conforming to the laws of the country, to enter, travel and reside in all parts of their respective territories; to carry on business there; and they shall enjoy in this respect for the protection of their persons and their property the same treatment and the same rights as the natives, or the citizens and inhabitants of the most favored nation.

commerce, de navigation et d'extradition, ont, à cet effet, nommé pour leurs plénipotentiaires respectifs, savoir:

Son Excellence, le Président des Etats Unis d'Amérique,

Edwin H. Terrell, Envoyé Extraordinaire et Ministre Plénipotentiaire des Etats-Unis d'Amérique près Sa Majesté le Roi des Belges, et

Sa Majesté, Léopold II, Roi des Belges, Souverain de l'Etat Indépendant du Congo,

Edm. Van Eetvelde, Administrateur Général du Département des Affaires Etrangères, Officier de Son Ordre de Léopold,

lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des articles suivants:

#### ARTICLE I.

Il y aura liberté pleine, entière et réciproque de commerce, d'établissement et de navigation entre les citoyens et habitants des deux Hautes Parties contractantes.

Les citoyens et habitants des Etats-Unis d'Amérique dans l'Etat Indépendant du Congo, et ceux de l'Etat Indépendant du Congo dans les Etats-Unis d'Amérique, auront réciproquement la faculté, en se conformant aux lois du pays, d'entrer, voyager et séjourner dans toutes les parties de leurs territoires respectifs; d'y faire le commerce; et ils jouiront, à cet égard, pour la protection de leurs personnes et de leurs biens, du même traitement et des mêmes droits que les nationaux, ou les citoyens et habitants de la nation la plus favorisée.

They can freely exercise their industry or their business, as well wholesale as retail, in the whole extent of the territories, without being subjected, as to their persons or their property, or by reason of their business, to any taxes, general or local, imposts or conditions whatsoever other or more onerous than those which are imposed or may be imposed upon the natives other than non-civilized aborigines, or upon the citizens and inhabitants of the most favored nation.

In like manner they will enjoy reciprocally the treatment of the most favored nation in all that relates to rights, privileges, exemptions and immunities whatsoever concerning their persons or their property, and in the matter of commerce, industry and navigation.

#### ARTICLE II.

In all that concerns the acquisition, succession, possession and alienation of property, real and personal, the citizens and inhabitants of each of the High contracting Parties shall enjoy in the territories of the other all the rights which the respective laws accord or shall accord in those territories to the citizens and inhabitants of the most favored nation.

#### ARTICLE III.

The citizens and inhabitants of each of the High contracting Parties shall be exempt, in the territories of the other, from all personal service in the army, navy or militia and from all pecuniary contributions in lieu of such, as well as from all obligatory official functions whatever, except the obligation of sitting, within a radius

Ils pourront librement exercer leur industrie ou leur commerce, tant en gros qu'en détail, dans toute l'étendue des territoires, sans être assujettis, en ce qui concerne leurs personnes ou leurs propriétés, ou à raison de leurs affaires, à des taxes, générales ou locales, impôts ou conditions quelconques, autres ou plus onéreux que ceux qui se perçoivent ou pourront être perçus sur les nationaux autres que les indigènes non civilisés, ou sur les citoyens et habitants de la nation la plus favorisée.

De même, ils jouiront réciproquement du traitement de la nation la plus favorisée pour tout ce qui touche aux droits, privilèges, exemptions et immunités quelconques en ce qui concerne leurs personnes et leurs propriétés, et en matière de commerce, d'industrie et de navigation.

#### ARTICLE II.

Pour tout ce qui concerne l'acquisition, la succession, la possession et l'aliénation des propriétés mobilières et immobilières, les citoyens et habitants de chacune des Hautes Parties contractantes jouiront dans les territoires de l'autre de tous les droits que les lois respectives accordent ou accorderont, dans ces territoires, aux citoyens et habitants de la nation la plus favorisée.

#### ARTICLE III.

Les citoyens et habitants de chacune des Hautes Parties contractantes seront exempts, dans les territoires de l'autre, de tout service personnel dans l'armée, la marine ou les milices, et de toutes contributions pécuniaires qui en tiendraient lieu, ainsi que de toutes fonctions officielles obligatoires quelconques, sauf l'obligation de

of one hundred kilometres from the place of their residence, as a juror in judicial proceedings; furthermore, their property shall not be taken for the public service without an ample and sufficient compensation.

They shall have free access to the courts of the other, on conforming to the laws regulating the matter, as well for the prosecution as for the defense of their rights, in all the degrees of jurisdiction established by law. They can be represented by lawyers, and they shall enjoy, in this respect, and in what concerns domiciliary visits to their houses, manufactories, stores, warehouses, etc., the same rights and the same advantages which are or shall be granted to the citizens and inhabitants of the most favored nation, or to natives.

#### ARTICLE IV.

The citizens and inhabitants of the two countries shall enjoy, in the territory of the other, a full and entire liberty of conscience. They shall be protected in the free exercise of their worship; they shall have the right to erect religious edifices and to organize and maintain missions.

#### ARTICLE V.

It will be lawful for the two High Contracting Parties to appoint and establish consuls, vice-consuls, deputy-consuls, consular agents and commercial agents in the territories of the other; but none of these agents can exercise his functions before having received the necessary exequatur from the Government to which he is delegated.

siéger, dans un rayon de cent kilomètres du lieu de leur résidence, comme juré dans les procédures judiciaires; en outre, leurs biens ne pourront pas être requis pour le service public, sans une compensation ample et suffisante.

Ils auront un libre accès auprès des tribunaux de l'autre, en se conformant aux lois régissant la matière, tant pour la poursuite que pour la défense de leurs droits, à tous les degrés de juridiction établis par la loi. Ils pourront se faire représenter par des avocats, et ils jouiront, à cet égard, et en ce qui concerne les visites domiciliaires dans leurs maisons, fabriques, magasins, dépôts, etc., des mêmes droits et des mêmes avantages qui sont ou seront accordés aux citoyens et habitants de la nation la plus favorisée, ou aux nationaux.

#### ARTICLE IV.

Les citoyens et habitants des deux Etats jouiront, sur le territoire de l'autre, d'une liberté de conscience pleine et entière. Ils seront protégés dans le libre exercice de leur culte; ils auront la faculté d'ériger des édifices religieux et d'organiser et de maintenir des missions.

#### ARTICLE V.

Il sera loisible aux deux Hautes Parties contractantes de nommer et établir des consuls, vice-consuls, consuls suppléants, agents consulaires et agents commerciaux dans les territoires de l'autre; mais aucun de ces agents ne pourra entrer en fonctions avant d'avoir reçu l'exequatur nécessaire du Gouvernement auprès duquel il est délégué.

The said agents of each of the two High contracting Parties shall enjoy, in the territories of the other, upon the footing of a complete reciprocity, all the privileges, immunities and rights which are actually granted to those of the most favored nation or which may be accorded to them hereafter.

The said agents, citizens or inhabitants of the State by which they are appointed, shall not be subject to preliminary arrest, except in the case of acts qualified as crimes by the local legislation and punished as such. They shall be exempt from military billeting and from service in the army, navy or militia, as well as from all direct taxes, unless these should be due on account of real estate, or unless the said agents should exercise a profession or business of any kind.

The said agents can raise their national flag over their offices.

The consular offices shall be at all times inviolable. The local authorities can not invade them under any pretext. They can not in any case examine or seize the papers which shall be there deposited. The consular office can not, on the other hand, serve as place of asylum, and if an agent of the consular service is engaged in business, commercial or other, the papers relating to the consulate shall be kept separate.

The said agents shall have the right to exercise all the functions generally appertaining to consuls, especially in what concerns the legalization of private and public documents, of invoices and commercial contracts, the

Les dits agents de chacune des deux Hautes Parties contractantes jouiront, dans les territoires de l'autre, sur le pied d'une complète réciprocité, de tous les privilèges, immunités et droits qui sont actuellement accordés à ceux de la nation la plus favorisée ou qui pourront leur être accordés dans la suite.

Les dits agents, citoyens ou habitants de l'Etat par lequel ils sont nommés, ne seront pas soumis à la détention préventive, sauf dans le cas de faits qualifiés crimes par la législation locale et punis comme tels. Ils seront exempts du logement militaire et du service dans l'armée, la marine ou les milices, ainsi que de toutes contributions directes, à moins que celles-ci ne soient dues à raison de propriétés immobilières, ou, à moins que les dits agents n'exercent une profession, ou commerce quelconque.

Les dits agents pourront arborer leur pavillon national sur leurs chancelleries.

Les chancelleries consulaires seront en tout temps inviolables. Les autorités locales ne pourront y pénétrer sous aucun prétexte. Elles ne pourront, dans aucun cas, visiter ni saisir les papiers qui y seront déposés. Les chancelleries consulaires ne pourront, d'autre part, servir de lieu d'asile, et si un agent du service consulaire est engagé dans des affaires commerciales ou autres, les papiers se rapportant au consulat seront tenus séparément.

Les dits agents auront le droit d'exercer toutes les fonctions appartenant généralement aux consuls, spécialement en ce qui concerne la légalisation de documents privés et publics, de factures et de contrats

taking of depositions and the right of authenticating legal acts and documents.

The said agents shall have the right to address the administrative and judicial authorities of the country in which they exercise their functions in order to complain of any infraction of the treaties or conventions existing between the two Governments, and for the purpose of protecting the rights and interests of the citizens and inhabitants of their country. They shall have also the right to settle all differences arising between the captains or the officers and the sailors of the sea-vessels of their nation. The local authorities shall abstain from interfering in these cases unless the maintenance of the public tranquility requires it, or, unless their assistance should be asked by the consular authority in order to assure the execution of its decisions.

The local authorities will give to the said agents and, on their default to the captains or their casual representatives, all aid for the search and arrest of sailor-deserters, who shall be kept and guarded in the prisons of the State upon the requisition and at the expense of the consuls or of the captains during a maximum delay of two months.

#### ARTICLE VI.

The citizens and inhabitants of each of the High contracting Parties shall have reciprocally, according to the same rights and conditions and with the same privileges as those of the most favored nation, the right to enter with their vessels and cargos

commerciaux, la réception de dépositions et la faculté de conférer l'authenticité aux actes et documents légaux.

Les dit agents auront le droit de s'adresser aux autorités administratives et judiciaires du pays dans lequel ils exercent leurs fonctions pour se plaindre de toute infraction aux traités ou conventions existant entre les deux Gouvernements, et dans le but de protéger les droits et intérêts des citoyens et habitants de leur pays. Ils auront aussi le droit de régler tous les différends surgissant entre les capitaines ou les officiers du bord et les matelots des navires de mer de leur nation. Les autorités locales s'abstiendront d'intervenir dans ces cas, à moins que le maintien de la tranquillité publique ne l'exige, ou à moins que leur assistance ne soit demandée par l'autorité consulaire pour assurer l'exécution de ses décisions.

Les autorités locales donneront aux dits agents et, à leur défaut, aux capitaines ou à leurs mandataires éventuels, toute aide pour la recherche et l'arrestation des marins déserteurs, qui seront détenus et gardés dans les prisons de l'Etat, à la réquisition et aux frais des consuls ou des capitaines pendant un délai maximum de deux mois.

#### ARTICLE VI.

Les citoyens et habitants de chacune des Hautes Parties contractantes auront réciproquement, aux mêmes titre et conditions et avec les mêmes privilèges que ceux de la nation la plus favorisée, la faculté d'entrer avec leurs navires et chargements dans



into all the ports and to navigate upon all the rivers and interior waters of the other State.

The vessels of each of the contracting Parties and of its citizens or inhabitants can freely navigate upon the waters of the territory of the other, without being subject to any other tolls, charges or obligations than those which the vessels belonging to the citizens or inhabitants of the most favored nation would have to bear.

There will not be imposed by either of the contracting Parties upon the vessels belonging to the other or to the citizens or inhabitants of the other, in the matter of tonnage, port charges, pilotage, lighthouse and quarantine dues, salvage of vessels and other administrative expenses whatsoever concerning navigation, any taxes or charges whatever, other or higher than those which are or shall be imposed upon the public or private vessels of the most favored nation.

It is agreed that every vessel belonging to one of the High contracting Parties or to a citizen or inhabitant of one of them, having the right to bear the flag of that country and having the right to its protection, both according to the laws of that country, shall be considered as a vessel of that nationality.

#### ARTICLE VII.

In what concerns the freight and facilities of transportation, and tolls, the merchandise belonging to the citizens or inhabitants of one of the contracting States transported over the roads, railroads and waterways of the other State, shall be treated on

tous les ports et de naviguer sur toutes les rivières et les eaux intérieures de l'autre Etat.

Les navires de chacune des Parties contractantes ou de ses citoyens ou habitants pourront naviguer librement sur les eaux dépendant du territoire de l'autre, sans être soumis à d'autres péages, charges ou obligations que ceux qu'auraient à supporter les navires appartenant aux citoyens ou habitants de la nation la plus favorisée.

Il ne sera imposé par aucune des Parties contractantes aux navires appartenant à l'autre ou aux citoyens ou habitants de l'autre, en matière de tonnage, de droits de port, de pilotage, de droits de phare et de quarantaine, de sauvetage de navires ou d'autres dépenses administratives quelconques concernant la navigation, de taxes ni charges quelconques, autres ou plus élevées que celles qui sont ou seront imposées aux bâtiments publics ou privés de la nation la plus favorisée.

Il est convenu que tout navire appartenant à l'une des Hautes Parties contractantes ou à un citoyen ou habitant de l'une d'elles, ayant le droit de porter le pavillon de ce pays et ayant droit à sa protection, le tout conformément aux lois de ce pays, sera considéré comme un navire de sa nationalité.

#### ARTICLE VII.

En ce qui concerne les tarifs et les facilités de transport, et les péages, les marchandises appartenant aux citoyens ou habitants de l'un des Etats contractants, transportées sur les routes, chemins de fer et voies navigables de l'autre Etat, seront traitées

the same footing as the merchandise belonging to the citizens or inhabitants of the most favored nation.

#### ARTICLE VIII.

In the territories of neither of the High contracting Parties, shall there be established or enforced a prohibition against the importation, exportation or transit of any article of legal commerce, produced or manufactured in the territories of the other, unless this prohibition shall equally and at once be extended to all other nations.

#### ARTICLE IX.

[Stricken out by the Senate.]

#### ARTICLE X.

The Republic of the United States of America, recognizing that it is just and necessary to facilitate to the Independent State of the Congo the accomplishment of the obligations which it has contracted by virtue of the General Act of Brussels of July 2nd, 1890, admits, so far as it is concerned, that import duties may be collected upon merchandise imported into the said State.

The tariff of these duties can not go beyond 10% of the value of the merchandise at the port of importation, during fifteen years to date from July 2nd, 1890, except for spirits, which are regulated by the provisions of Chapter VI of the General Act of Brussels.

At the expiration of this term of fifteen years, and in default of a new accord, the United States of America will be replaced, as to the Independent State of the Congo, in the situation which existed prior to

sur le même pied que les marchandises appartenant aux citoyens ou habitants de la nation la plus favorisée.

#### ARTICLE VIII.

Dans les territoires d'aucune des Hautes Parties contractantes, il ne sera établi ni mis en vigueur de prohibition à l'égard de l'importation, de l'exportation ou du transit d'aucun article d'un commerce légal, produit ou manufacturé dans les territoires de l'autre, à moins que cette prohibition ne soit étendue également et en même temps à toutes les autres nations.

#### ARTICLE X.

La République des Etats-Unis d'Amérique, reconnaissant qu'il est juste et nécessaire de faciliter à l'Etat Indépendant du Congo l'accomplissement des obligations qu'il a contractées en vertu de l'Acte Général de Bruxelles du 2 juillet 1890, admet, pour ce qui la concerne, que des droits d'entrée soient perçus sur les marchandises importées dans le dit Etat.

Le tarif de ces droits ne pourra dépasser 10% de la valeur des marchandises au port d'importation, pendant quinze ans à partir du 2 juillet 1890, sauf pour les spiritueux qui sont régis par les dispositions du chapitre VI de l'Acte Général de Bruxelles.

À l'expiration de ce terme de quinze ans, et à défaut d'un nouvel accord, les Etats-Unis d'Amérique se retrouveront, vis-à-vis de l'Etat Indépendant du Congo, dans la situation qui existait antérieurement au

July 2nd, 1890; the right to impose import duties to a maximum of 10% upon merchandise imported into the said State remaining acquired to it, on the conditions and within the limitations determined in articles XI and XII of this treaty.

#### ARTICLE XI.

The United-States shall enjoy in the Independent State of the Congo, as to the import duties, all the advantages accorded to the most favored nation.

It has been agreed besides:

1. That no differential treatment nor transit duty can be established;

2. That, in the application of the tariff *régime* which will be introduced, the Congo State will apply itself to simplify as far as possible, the formalities and to facilitate the operations of commerce.

#### ARTICLE XII.

Considering the fact that in Article X of the present treaty, the United-States of America have given their assent to the establishment of import duties in the Independent State of the Congo under certain conditions, it is well understood that the said Independent State of the Congo assures to the flag, to the vessels, to the commerce and to the citizens and inhabitants of the United States of America, in all parts of the territories of that State, all the rights, privileges and immunities concerning import and export duties, tariff *régime*, interior taxes and charges and, in a general manner, all commercial interests, which are or shall be accorded to the signatory Powers

2 juillet 1890, la faculté d'imposer des droits d'entrée à un maximum de 10% sur les marchandises importées dans le dit Etat lui restant acquise, aux conditions et dans les limites déterminées aux articles XI et XII de ce traité.

#### ARTICLE XI.

Les Etats-Unis jouiront dans l'Etat Indépendant du Congo, quant aux droits d'entrée, de tous les avantages accordés à la nation la plus favorisée.

Il a été convenu en outre:

1°. Qu'aucun traitement différentiel ni droit de transit ne pourra être établi;

2°. Que dans l'application du régime douanier qui sera introduit, l'Etat du Congo s'attachera à simplifier, autant que possible, les formalités et à faciliter les opérations du commerce.

#### ARTICLE XII.

En égard au fait que dans l'article x du présent traité, les Etats-Unis d'Amérique ont donné leur assentiment à l'établissement de droits d'entrée dans l'Etat Indépendant du Congo sous certaines conditions, il est bien entendu que le dit Etat Indépendant du Congo assure au pavillon, aux navires, au commerce et aux citoyens et habitants des Etats-Unis d'Amérique, dans toutes les parties des territoires de cet Etat, tous les droits, privilèges et immunités concernant les droits d'entrée et de sortie, le régime douanier, les taxes et charges intérieures et, d'une manière générale, tous les intérêts commerciaux qui sont ou seront accordés aux Puissances signataires de

of the Act of Berlin, or to the most favored nation.

l'Acte de Berlin, ou à la nation la plus favorisée.

### ARTICLE XIII.

### ARTICLE XIII.

In case a difference should arise between the two High contracting Parties as to the validity, interpretation, application or enforcement of any of the provisions contained in the present treaty, and it could not be arranged amicably by diplomatic correspondence between the two Governments, these last agree to submit it to the judgment of an arbitration tribunal, the decision of which they bind themselves to respect and execute loyally.

The tribunal will be composed of three members. Each of the two High contracting Parties will designate one of them, selected outside of the citizens and the inhabitants of either of the contracting States and of Belgium. The High contracting Parties will ask, by common accord, a friendly Government to appoint the third arbitrator, to be selected equally outside of the two contracting States and of Belgium.

If an arbitrator should be unable to sit by reason of death, resignation or for any other cause, he shall be replaced by a new arbitrator whose appointment shall be made in the same manner as that of the arbitrator whose place he takes.

The majority of arbitrators can act in case of the intentional absence or formal withdrawal of the minority. The decision of the majority of the arbitrators will be conclusive upon all questions to be determined.

The general expenses of the arbitration procedure will be borne, in equal parts, by the two High con-

Dans le cas où un différend s'élèverait entre les deux Hautes Parties contractantes quant à la validité, l'interprétation, l'application ou la mise en vigueur d'une des dispositions contenues dans le présent traité, et qu'il ne pourrait être arrangé amicalement par correspondance diplomatique, entre les deux Gouvernements, ces derniers conviennent de le soumettre au jugement d'un tribunal arbitral dont ils s'engagent à respecter et à exécuter loyalement la décision.

Le tribunal sera composé de trois membres. Chacune des deux Hautes Parties contractantes en désignera un, choisi en dehors des citoyens et des habitants de l'un ou l'autre des Etats contractants et de la Belgique. Les Hautes Parties contractantes demanderont, de commun accord, à un Gouvernement ami de nommer le troisième arbitre, à choisir également en dehors des deux Etats contractants et de la Belgique.

Si un arbitre était dans l'impossibilité de siéger par suite de décès, de démission ou pour toute autre cause, il serait remplacé par un nouvel arbitre dont la nomination sera faite de la même manière que celle de l'arbitre dont il prend la place.

La majorité des arbitres peut statuer en cas d'absence intentionnelle ou de retraite formelle de la minorité. La décision de la majorité des arbitres sera définitive sur toutes les questions à résoudre.

Les dépenses générales de la procédure arbitrale seront supportées, à parts égales, par les deux Hautes

tracting Parties; but the expenses made by either of the parties for preparing and setting forth its case will be at the cost of that party.

#### ARTICLE XIV.

It is well understood that if the declaration on the subject of the import duties, signed July 2nd, 1890, by the signatory Powers of the Act of Berlin, should not enter into force, in that case, the present treaty would be absolutely null and without effect

#### ARTICLE XV.

The present treaty shall be subject to the approval and the ratification, on the one hand, of the President of the United States, acting by the advice and with the consent of the Senate, and, on the other hand, of His Majesty the King of the Belgians, Sovereign of the Independent State of the Congo.

The ratifications of the present treaty shall be exchanged at the same time as those of the General Act of Brussels of July 2nd, 1890, and it will enter into force at the same date as the latter.

In faith of which the respective Plenipotentiaries of the High contracting Parties have signed the present treaty in duplicate, in English and in French, and have attached thereto their seals.

Done at Brussels the twenty-fourth day of the month of January of the year Eighteen hundred and ninety one.

[SEAL.] EDWIN H. TERRELL

Parties contractantes; mais les dépenses faites par l'une ou l'autre des Parties pour préparer et pour exposer sa cause seront à la charge de cette Partie.

#### ARTICLE XIV.

Il est bien entendu que, si la déclaration au sujet des droits d'entrée, signée le 2 juillet 1890 par les Puissances signataires de l'Acte de Berlin, ne devait pas entrer en vigueur, en ce cas, le présent traité serait absolument nul et sans effet.

#### ARTICLE XV.

Le présent traité sera soumis à l'approbation et à la ratification, d'une part, de Son Excellence le Président des Etats-Unis, agissant de l'avis et avec le consentement du Sénat, et d'autre part, de Sa Majesté le Roi des Belges, Souverain de l'Etat Indépendant du Congo.

Les ratifications du présent traité seront échangées en même temps que celles de l'Acte Général de Bruxelles, du 2 juillet 1890, et il entrera en vigueur à la même date que celui-ci.

En foi de quoi, les Plénipotentiaires respectifs des Hautes Parties contractantes ont signé le présent traité en double, en anglais et en français, et y ont apposé leurs cachets.

Fait à Bruxelles, le vingt quatrième jour du mois de janvier de l'an mil huit cent quatre-vingt-onze.

[SCEAU.] EDM. VAN EETVELDE.

And whereas the said Treaty has been duly ratified on both parts, and the ratifications of the two Governments were

exchanged in the City of Brussels, on the 2nd day of February, 1892:

Now, therefore, be it known that I, BENJAMIN HARRISON, President of the United States of America, have caused the said Treaty to be made public as amended, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this second day of April in the year of our Lord one thousand eight hundred and ninety-two, and of the Independence of the United States the one hundred and sixteenth.

BENJ HARRISON

By the President :

JAMES G. BLAINE

*Secretary of State.*

# KONGO FREE STATE—SENATE RATIFICATION.]

---

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,  
*January 11, 1892.*

*Resolved, (two thirds of the Senators present concurring therein,) That* the Senate advise and consent to the ratification of the General Act signed at Brussels, July 2, 1890, by the plenipotentiaries of the United States and other powers, for the suppression of the African Slave-trade, and for other purposes.

*Resolved further, That* the Senate advise and consent to the acceptance of the partial ratification of the said General Act on the part of the French Republic, and to the stipulations relative thereto, as set forth in the protocol signed at Brussels, January 2, 1892.

*Resolved further, as a part of this act of ratification, That* the United States of America, having neither possessions nor protectorates in Africa, hereby disclaims any intention, in ratifying this treaty, to indicate any interest whatsoever in the possessions or protectorates established or claimed on that Continent by the other powers, or any approval of the wisdom, expediency or lawfulness thereof, and does not join in any expressions in the said General Act which might be construed as such a declaration or acknowledgment; and, for this reason, that it is desirable that a copy of this resolution be inserted in the protocol to be drawn up at the time of the exchange of the ratifications of this treaty on the part of the United States.

Attest:

ANSON G MCCOOK

*Secretary.*

By CHAS W JOHNSON,

*Chief Clerk.*





## AGREEMENT

BETWEEN

THE UNITED STATES OF AMERICA AND THE KINGDOM OF  
DENMARK

TO SUBMIT TO ARBITRATION THE CLAIM OF CARLOS BUT-  
TERFIELD AND COMPANY AGAINST THE GOVERNMENT OF  
DENMARK.

---

*Signed at Copenhagen December 6, 1888.*

*Ratification advised by the Senate February 11, 1889.*

*Ratified by the President of the United States April 23, 1889.*

*Ratified by the King of Denmark April 13, 1889.*

*Ratifications exchanged at Washington May 23, 1889.*

*Proclaimed May 24, 1889.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Whereas an Agreement between the United States of America and the Kingdom of Denmark to submit to arbitration the claim of Carlos Butterfield and Company against the Government of Denmark for indemnity for the seizure and detention of the steamer Ben Franklin and the barque Catherine Augusta by the authorities of the Island of St. Thomas, of the Danish West India Islands, and for other wrongs, was concluded and signed by the respective Plenipotentiaries of the aforesaid High Contracting Parties in the city of Copenhagen, on the sixth day of December, eighteen hundred and eighty-eight, the original of which Agreement, being in the English and Danish languages, is word for word as follows:

Whereas the Government of the United States of America has heretofore presented to the Kingdom of Denmark the claim of Carlos Butter-

Eftersom de amerikanske forenede Staters Regjering tidligere har forelagt Kongeriget Danmark det af Carlos Butterfield og C.<sup>o</sup>, af hvilket

field and Company, of which Carlos Butterfield now deceased was the surviving partner, for an indemnity for the seizure and detention of the two vessels, the steamer Ben Franklin and the Barque Catherine Augusta, by the authorities of the Island of St. Thomas of the Danish West India Islands in the years 1854 and 1855; for the refusal of the ordinary right to land cargo for the purpose of making repairs; for the injuries resulting from a shot fired into one of the vessels; and for other wrongs:

Whereas the said Governments have not been able to arrive at a conclusive settlement thereof: and

Whereas each of the parties hereto has entire confidence in the learning, ability and impartiality of Sir Edmund Monson, Her British Majesty's Envoy extraordinary and Minister plenipotentiary in Athens,

Now therefore the undersigned, Rasmus B. Anderson, Minister Resident of the United States of America at Copenhagen, and Baron O. D. Rosenörn-Lehn, Royal Danish Minister of Foreign Affairs, duly empowered thereto by their respective Governments have agreed upon the stipulations contained in the following Articles:

#### ARTICLE I.

The said claim of Carlos Butterfield and Company shall be referred to the said Sir Edmund Monson, Her British Majesty's Envoy extraordinary and Minister plenipotentiary in Athens, as sole arbitrator thereof in conformity with the conditions hereinafter expressed; to which end the High Contracting Parties agree to communicate

Firma den nu afdöde Carlos Butterfield var overlevende Medindehaver, fremsatte Krav paa en Skadesløsholdelse for Dampskibet Ben Franklins og Barkskebet Catherine Augustas Beslaglæggelse og Tilbageholdelse ved Övrighederne paa Öen St. Thomas, en af de dansk vestindiske Öer, i Aarene 1854 og 1855; for Nægtelsen af den almindelige Ret til at landsætte Ladning i det Öjemed at foretage Reparationer; for de Beskadigelser, de vare en Følge af et Skud affyret mod et af Skibene; og for andre Forurettelser:

Eftersöm de nævnte Regjeringer ikke have været i Stand til at komme til en endelig Afgjölrelse deraf; og

Eftersom enhver af de kontraherende Parter har fuldstædig Tillid til Hendes Britiske Majestæts overordentlige Gesandt og befuldmægtigede Minister i Athen, Sir Edmund Monsons Lærdom, Dygtighed og Upartiskhed,

Saa ere nu de undertegnede Baron O. D. Rosenörn-Lehn, Hans Majestæt Kongen af Danmarks Udenrigsminister, og Rasmus B. Anderson, de amerikanske forenede Staters Minister resident i Kjöbenhavn, behörligt befuldmægtigede dertil af deres respective Regjeringer, komne overens om de i fölgende Artikler indeholdte Bestemmelser:

#### ARTIKEL I.

Det nævnte af Carlos Butterfield og Co. fremsatte Krav skal henvises til den nævnte Sir Edmund Monson, Hendes Britiske Majestæts overordentlige Gesandt og befuldmægtigede Minister i Athen, som eneste Voldgiftsmand i Sagen overensstemmende med de nedenfor udtalte Betingelser, til hvilken Ende de Höje Contraher-

to him in writing their common desire to commit the matter to his arbitration.

## ARTICLE II.

The Arbitrator shall receive in evidence before him duly certified copies of all documents, records, affidavits, or other papers heretofore filed in support of or against the claim in the proper department of the respective Governments, copies of which shall at the same time be furnished to the other Government. Each Government shall file its evidence before the arbitrator within seventy-five days after its receipt of notice of his acceptance of the position conferred upon him.

Each party shall be allowed seventy-five days thereafter to file with the arbitrator a written argument. The arbitrator shall render his award within sixty days after the date at which the arguments of both parties shall have been received.

## ARTICLE III.

The expenses of such arbitration, which shall include the compensation of a clerk at the rate of not more than two hundred dollars a month, should the arbitrator request such aid, shall be borne by the two Governments jointly in equal moieties.

## ARTICLE IV.

The High Contracting Parties agree to accept the decision of the arbitrator as final and conclusive and to abide by and perform the same in

ende Parter ere enige om at meddele ham skriftligt deres fælles Önske om at overgive Sagen til Afgjorelse af ham ved Voldgift.

## ARTIKEL II.

Voldgiftsmanden skal modtage som Bevismidler behörigt bekræftede Af-skrifter af alle de Dokumenter, Memorandumer, beedigede Forklaringer eller andre Aktstykker, som hidtil ere fremkomne til Stötte for Kravet eller mod det i vedkommende Departement i de respektive Regjeringer; Gjenparter heraf skulle samtidigt meddeles den anden Regjering. Enhver af Regjeringerne skal indgive sine Bevismidler til Voldgiftsmanden inden fem og halvfjerdesindstve Dage efter dens Modtagelse af Efterretning om, at han modtager det ham overdragne Hverv.

Enhver af Parterne skal have fem og halvfjerdesindstve Dage derefter til at indgive til Voldgiftsmanden en skriftlig Fremstilling. Voldgiftsmanden skal afsige sin Kjendelse inden tresindstve Dage efter den Dag paa hvilken han vil have modtaget begge Parters Fremstillinger.

## ARTIKEL III.

Udgifterne ved saadan Voldgift, med Indbefattelse af Godtgjorelse til en Skriver til et Belöb, som dog ikke maa overstige to Hundrede Dollars maanedligt, for det Tilfælde at Voldgiftsmanden maatte begjære saadan Hjælp, skulle bæres af de to Regjeringer i Fællesskab, med Halvdelen af hver.

## ARTIKEL IV.

De Höje Contrahernde Parter ere enige om at modtage Voldgiftsmandens Kjendelse som endelig og afgjorende samt at blive staaende ved

good faith and without unnecessary delay.

#### ARTICLE V.

This agreement shall be ratified by each Government and the ratifications exchanged at Washington as soon as possible.

In witness whereof the respective Plenipotentiaries have signed and sealed the present Agreement in duplicate in the English and Danish languages.

Done at Copenhagen, this sixth day of December in the year of Our Lord, one thousand eight hundred and eighty-eight.

R. B. ANDERSON [SEAL]  
O D ROSENÖRN LEHN [SEAL]

og udføre den i god Tro og uden unødvendigt Ophold.

#### ARTIKEL V

Denne Overenskomst skal ratificeres af hver af Regjeringerne, og Ratifikationerne skulle udvexles i Washington saa snart som muligt.

Til Bekræftelse heraf have de respektive Befuldmægtigede undertegnet nærværende Overenskomst i dobbelt Exemplar paa det engelske og det danske Sprog, samt paatrykt den deres Segl.

Givet i Kjöbenhavn, den sjette December i Herrens Aar Atten Hundrede og Otto og Firesindstyve.

O. D. ROSENÖRN LEHN  
R. B. ANDERSON

And whereas the said Agreement has been duly ratified on both parts and the respective ratifications of the same were exchanged at the City of Washington on the twenty-third day of May eighteen hundred and eighty-nine;

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the said Agreement to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington this 24th day of May, in the year of our Lord, one thousand eight hundred [SEAL] and eighty-nine, and of the Independence of the United States the one hundred and thirteenth.

BENJ HARRISON.

By the President:

JAMES G. BLAINE

*Secretary of State.*

## CONVENTION

BETWEEN

# THE UNITED STATES AND DENMARK

FOR THE RECIPROCAL PROTECTION OF TRADE-MARKS  
AND TRADE LABELS.

---

*Concluded at Copenhagen June 15, 1892.*

*Ratification advised by the Senate July 21, 1892.*

*Ratified by the President of the United States July 29, 1892.*

*Ratified by the King of Denmark September 23, 1892.*

*Ratifications exchanged at Copenhagen September 28, 1892.*

*Proclaimed October 12, 1892.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Whereas a Convention between the United States of America and the Kingdom of Denmark for the reciprocal protection of Trade-Marks and Trade Labels was signed by their respective Plenipotentiaries at the City of Copenhagen, on the fifteenth day of June, one thousand, eight hundred and ninety-two, the original of which Convention, being in the English and Danish languages, is word for word as follows :

#### CONVENTION.

With a view to secure for the manufacturers in the United States of America, and those in Denmark, the reciprocal protection of their Trade Marks and Trade Labels, the Under-signed, duly authorised to that effect, have agreed on the following dispositions.

#### KONVENTION.

For at sikre Industridrivende i de Forenede Stater af Amerika og i Danmark gjensidig Beskyttelse af deres Fabrik- og Varemærker, have undertegnede, efter dertil at have erholdt behørig Bemyndigelse, vedtaget følgende Bestemmelser.

## ARTICLE I.

The subjects or citizens of each of the High Contracting Parties shall in the Dominions and Possessions of the other have the same rights as belong to native subjects or citizens, in everything relating to Trade Marks and Trade Labels of every kind.

Provided, always, that in the United States the subjects of Denmark, and in Denmark, the citizens of the United States of America, cannot enjoy these rights to a greater extent or for a longer period of time than in their native country.

## ARTICLE II.

Any person in either country desiring protection of his Trade Mark in the Dominions of the other must fulfil the formalities required by the law of the latter; but no person, being a subject or citizen of one of the contracting States, shall be entitled to claim protection in the other by virtue of the provisions of this convention, unless he shall have first secured protection in his own country in accordance with the laws thereof.

## ARTICLE III.

This arrangement shall go into effect immediately on or after the exchange of the ratifications and shall be in force until a year after it has been recalled by the one or the other of the two High Parties.

## ARTICLE IV.

The present convention shall be ratified by the President of the United States of America by and with the advice and consent of the Senate thereof and by His Majesty

## ARTIKEL I.

Enhver af de høje kontraherende Parters Undersaatter eller Borgere skulle paa den anden Parts Territorier og Besiddelser nyde samme Rettigheder som Landets egne Undersaatter eller Borgere med Hensyn til Alt, hvad der vedrører Fabrik- eller Varemærker.

Dog kunne Danske Undersaatter i de Forenede Stater og bemeldte Staters Borgere i Danmark ikke nyde disse Rettigheder i et større Omfang eller i et længere Tidsrum end i deres eget Land.

## ARTIKEL II.

En Person i et af de to Lande, der maatte ønske Beskyttelse for sit Varemærke paa det andets Territorium maa opfylde de lovbestemte Formaliteter i dette sidste; men ingen Person, som er Undersaat eller Borger i en af de kontraherende Stater skal have Ret til at fordre Beskyttelse i den anden Stat i Kraft af denne Konventions Bestemmelser, medmindre han først har sikket sig Beskyttelse i sit eget Land i Overenstemmelse med dettes Love.

## ARTIKEL III.

Denne Overenskomst træder i Virksomhed umiddelbart ved Udvexlingen af Ratifikationerne og forbliver i Kraft indtil 1 Aar efter at den er opsagt af en af de høje kontraherende Parter.

## ARTIKEL IV.

Nærværende Konvention skal ratificeres af Præsidenten for de Forenede Stater af Amerika med Senatets Raad og Samtykke og af Hans Majestæt Kongen af Danmark og Rati-

the King of Denmark, and the ratifications shall be exchanged at Copenhagen as soon as may be within ten months from the date hereof.

In witness whereof the Undersigned have signed the present convention and have affixed thereto the seal of their arms.

Done at Copenhagen in double expedition the 15. June, 1892.

CLARK E. CARR. [SEAL.]

fikationerne skulle udvexles i Kjøbenhavn, saasnart som muligt, i Løbet af 10 Maaneder fra Dags Dato at regne.

Til Bekæftelse heraf have de Undertegnede underskrevet nærværende Konvention og paatrykt samme deres Vaabensegl.

Skeet i Kjøbenhavn i dobbelt Udfærdigelse den 15. Juni 1892.

REEDTZ THOTT. [SEAL.]

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Copenhagen, on the twenty-eighth day of September, one thousand, eight hundred and ninety-two ;

Now, therefore, be it known that I, BENJAMIN HARRISON, President of the United States of America, have caused the said Convention to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this 12th day of October, in the year of our Lord one thousand eight hundred [SEAL.] and ninety-two and of the Independence of the United States the one hundred and seventeenth.

BENJ HARRISON

By the President:

JOHN W. FOSTER,

*Secretary of State*





## CONVENTION

BETWEEN

### THE UNITED STATES OF AMERICA AND THE REPUBLIC OF ECUADOR.

PROVIDING FOR THE SUBMISSION TO ARBITRATION OF THE  
CLAIM OF JULIO R. SANTOS AGAINST THE GOVERNMENT OF  
ECUADOR.

---

*Signed at Quito, February 28, 1893.*

*Ratification advised by the Senate, September 11, 1893.*

*Ratified by the President of Ecuador, August 26, 1894.*

*Ratified by the President of the United States, September 16, 1893.*

*Ratifications exchanged at Washington, November 6, 1894.*

*Proclaimed, November 7, 1894.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

#### A PROCLAMATION

Whereas, a Convention between the United States of America and the Republic of Ecuador providing for the submission to arbitration of the claim of Julio R. Santos against the Government of Ecuador was concluded and signed by their respective plenipotentiaries at the city of Quito on the 28th day of February, in the year one thousand eight hundred and ninety-three, which convention, being in the English and Spanish languages, is, word for word, as follows:

The United States of America, and the Republic of Ecuador, being desirous of removing all questions of difference between them, and of maintaining their good relations, in a manner consonant to their just interests and dignity, have decided to conclude a convention, and for that purpose have named as their respective Plenipotentiaries, to wit:

The President of the United States; Rowland Blennerhasset Mahany, Envoy Extraordinary and

Los Estados Unidos de América y la República del Ecuador, deseando alejar todo motivo de desavenencia entre sí y mantener sus buenas relaciones, de acuerdo con sus justos intereses y dignidad, han decidido celebrar una Convención, y, con tal objeto, han nombrado sus respectivos Plenipotenciarios, á saber:

El Presidente de los Estados Unidos á Rowland Blennerhasset Mahany, Enviado Extraordinario

Minister Plenipotentiary of the United States to Ecuador; and

The President of Ecuador; Honorato Vasquez, Plenipotentiary *ad hoc*, of that Republic; who, having communicated to each other their respective Full Powers, found in good and due form, have agreed upon the following articles:

#### ARTICLE I.

The two governments agree to refer to the decision of an arbitrator, to be designated in the manner hereinafter provided, the claim presented by the Government of the United States against that of the Republic of Ecuador, in behalf of Julio R. Santos, a native of Ecuador, and naturalized as a citizen of the United States in the year 1874; the said claim being for injuries to his person and property, growing out of his arrest and imprisonment by the authorities of Ecuador, and other acts of the said authorities in the years 1884 and 1885.

#### ARTICLE II.

1. In order to secure the services of a competent and impartial arbitrator, it is agreed that the Government of Her Britannic Majesty be requested to authorize its diplomatic representative in Quito, to act in that capacity; or in case of his absence from the country, that this permission be given his successor.

2. In case of the failure of the diplomatic representative of Her Britannic Majesty's Government, or of the successor of the said representative, to act as such arbiter, then the said representative, or his successor, be requested to name an arbitrator who shall not be a citizen either of the United States or of Ecuador.

3. Any vacancy in the office of Arbitrator, to be filled in the same manner as the original appointment.

y Ministro Plenipotenciario de los Estados Unidos en el Ecuador, y

El Presidente del Ecuador á Honorato Vasquez, Plenipotenciario *ad hoc* de dicha República, quienes, habiéndose manifestado sus respectivos Plenos Podéres, y, hallándolos en buena y debida forma, han acordado los siguientes artículos:

#### ARTÍCULO I.

Los dos Gobiernos acuerdan someter a la decisión de un Arbitro, designado de la manera que luego se indicará, la reclamación presentada por al Gobierno de los Estados Unidos contra el de la República del Ecuador respecto de Julio R. Santos, nativo del Ecuador y ciudadano naturalizado en los Estados Unidos en el año de 1874, reclamación por daños á su persona y bienes á causa de su arresto y prisión por las autoridades del Ecuador y otros actos de las mismas autoridades en los años de 1884 y 1885.

#### ARTÍCULO II.

1. Para asegurar los servicios de un Arbitro imparcial y competente, se ha convenido que se suplique al Gobierno de Su Majestad Británica, autorice á su representante diplomático en Quito para que actúe con ese carácter, y en el caso de ausencia de éste, dé igual permiso á su sucesor.

2. En caso de impedimento del representante diplomático del Gobierno de Su Majestad Británica ó del sucesor de dicho representante para actuar como Arbitro, se solicitará del mismo representante ó su sucesor nombre un Arbitro, que no sea ciudadano de los Estados Unidos ni del Ecuador.

3. Cualquiera vacante que ocurriere en el cargo de Arbitro, se llenará de la misma manera que queda indicada.

## ARTICLE III.

1. As soon as may be after the designation of the Arbitrator, not to exceed the period of ninety days, the written or printed case of each of the contracting parties, accompanied by the documents, the official correspondence and other evidence on which each relies, shall be delivered to the Arbitrator, and to the agent of the other party; and within ninety days after such delivery and exchange of the cases of the two parties, either party may, in like manner, deliver to the Arbitrator, and to the agent of the other side, a counter-case to the documents and evidence presented by the other party, with such written or printed argument as may, by each, be deemed proper. And each government shall furnish upon the request of the other, or its agent, such papers in its possession as may be deemed important to the just determination of the claim.

2. Within the last named period of ninety days, the Arbitrator may also call for such evidence as he may deem proper, to be furnished within the same period; and shall also receive such oral and documentary evidence as each government may offer. Each government shall also furnish, upon the requisition of the Arbitrator, all documents in its possession, which may be deemed by him as material to the just determination of the claim.

3. Within sixty days after the last mentioned period of ninety days, the Arbitrator shall render his opinions and decisions in writing, and certify the same to the two Governments. These decisions and opinions shall embrace the following points, to-wit:

(a) Whether, according to the evidence adduced, Julio R. Santos, by his return to and residence in Ecuador, did or did not, under the provisions of the Treaty of Natural-

## ARTÍCULO III.

1. Tan pronto como se queda, después de designado el Arbitro, y dentro del período de noventa días, se entregarán al Arbitro y al agente de la otra Parte, el memorial impreso ó escrito de las Partes contratantes, acompañado de los documentos, la correspondencia oficial y demás pruebas que lo apoyen; y dentro de noventa días después de tal entrega y cambio de los alegatos de ambas Partes, puede cada una de ellas entregar de la misma manera, al Arbitro y al agente de la otra Parte una réplica á los documentos y pruebas presentados por la otra Parte, así como cualquier otra alegación escrita ó impresa, del modo que cada una juzgue conveniente. Cada Gobierno, á petición de uno á otro, ó de su agente, suministrará los documentos que poseyese y que se juzgaren importantes para la justa decisión del reclamo.

2. Dentro del dicho período de noventa días puede también el Arbitro pedir las pruebas que juzgare necesarias, las que se le suministrarán dentro del mismo período: recibirá también las pruebas orales ó documentados que cada uno de los Gobiernos quisiere presentar.

Cada Gobierno proporcionará también, á petición del Arbitro, todos los documentos que poseyese, que á juicio de éste fueren pertinentes para la justa determinación del reclamo.

3. Dentro de sesenta días después del último período mencionado de noventa días, el Arbitro dará por escrito sus opiniones y decisiones, notificándolas á los dos Gobiernos. Estas opiniones y decisiones comprenderán los siguientes puntos, á saber:

(a) Si conforme á la prueba aducida, Julio R. Santos, por su regreso al Ecuador y residencia en él, ha perdido ó nó, al tenor de lo convenido en el tratado de naturaliza-

ization between the two Governments, concluded May 6, 1872, forfeit his United States citizenship as to Ecuador, and resume the obligations of the latter country.

(b) If he did not so forfeit his United States citizenship, whether or not it was shown by the evidence adduced, that Julio R. Santos has been guilty of such acts of unfriendliness and hostility to the Government of Ecuador, as, under the Law of Nations, deprived him of the consideration and protection due a neutral citizen of a friendly Nation.

#### ARTICLE IV.

1. In case either one or the other of the points recited in clauses (a) and (b) of the last preceding article, should be decided in favor of the contention of the Government of Ecuador, said Government shall be held to no further responsibility to that of the United States for arrest, imprisonment, and other acts of the authorities of Ecuador towards Julio R. Santos, during the years 1884 and 1885.

2. On the other hand, should the Arbitrator decide the above recited points against the contention of Ecuador, he shall, after a careful examination of the evidence touching the injuries and losses to the person and property of the said Santos, which shall have been laid before him concerning the arrest and imprisonment of said Santos, and other acts of the authorities of Ecuador towards him, during the years 1884 and 1885, award such damages for said injuries and losses as may be just and equitable; which shall be certified to the two Governments and shall be final and conclusive.

#### ARTICLE V.

1. Both Governments agree to treat the decisions of the Arbitrator and his award as final and conclusive.

ción entre los dos Gobiernos, ajustado el 6 de Mayo de 1872, respecto del Ecuador su ciudadanía de los Estados Unidos y reasumido sus obligaciones para con el Ecuador.

(b) Si en caso de no haber perdido su ciudadanía de los Estados Unidos, se ha comprobado ó nó que Julio R. Santos fué culpable de tales actos de enemistad y hostilidad hácia el Gobierno del Ecuador que, según el derecho internacional, le han privado de la consideración y protección debidas á un ciudadano neutral de una Nación amiga.

#### ARTÍCULO IV.

1. En caso de que uno ó otro de los puntos expresados en las cláusulas (a) y (b) del artículo anterior, se decidieren en favor de lo que sostiene el Gobierno del Ecuador, dicho Gobierno quedará para en adelante libre de toda responsabilidad para con el de los Estados Unidos, por el arresto, prisión y otros actos de las autoridades del Ecuador respecto de Julio R. Santos, durante los años de 1884 y 1885.

2. En caso contrario, si el Arbitro decidiere los puntos arriba indicados, contra lo que sostiene el Ecuador, después de cuidadoso examen de las pruebas que se hubieren presentado sobre los perjuicios y pérdidas en la persona y bienes de dicho Santos por el arresto y prisión del expresado Santos y otros actos de las autoridades del Ecuador, respecto de él, durante los años de 1884 y 1885,—determinará el resarcimiento de los expresados perjuicios y pérdidas, de la manera más justa y equitativa, lo cual se comunicará á los dos Gobiernos y será definitivo y concluyente.

#### ARTÍCULO V

1. Los dos Gobiernos convienen en tener las decisiones y sentencia del Arbitro como finales y concluyentes.

2. Should a pecuniary indemnity be awarded, it shall be specified in the gold coin of the United States; and shall be paid to the Government thereof within sixty days after the beginning of the first session of the Congress of Ecuador, held subsequent to the rendition of the award, and the said award shall bear interest at six per centum from the date of its rendition.

3. The Government of Ecuador, however, reserves the right to pay, before the expiration of the above stated time, the whole amount to the Government of the United States, with interest at six per centum from the date of the announcement of the award till the date of the payment thereof.

#### ARTICLE VI.

1. Each government shall pay its own agent and counsel, if any, for the expenses of preparing and submitting its case to the Arbitrator.

2. All other expenses, including reasonable compensation to the Secretary, if any, of the Arbitrator, shall be paid upon the certificates of the Arbitrator, by the two Governments in equal moieties.

#### ARTICLE VII.

The present convention shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof; by the Congress of Ecuador and by the President thereof; and the ratifications exchanged at Washington as soon as possible.

In faith whereof, the Plenipotentiaries have signed and sealed this Convention in duplicate, in the City of Quito, this twenty eighth day of February, in the year of our Lord one thousand eight hundred and ninety three.

2. Si se sentenciare indemnización pecuniaria, se especificará que ha de ser en moneda de oro de los Estados Unidos, y se pagará á ese Gobierno dentro de sesenta días, contados desde la primera sesión del Congreso del Ecuador, subsiguiente á la notificación de la sentencia, sentencia que determinará el interés del seis por ciento desde la fecha de su promulgación.

3. Sin embargo, el Gobierno del Ecuador se reserva el derecho de pagar al Gobierno de los Estados Unidos, antes de la espiración del tiempo arriba indicado, el total de la cantidad con el interés del seis por ciento desde la fecha de la notificación de la sentencia hasta la fecha del pago.

#### ARTÍCULO VI

1. Cada Gobierno pagará á su agente y consejero, si lo hubiere, los gastos de preparación y curso de este asunto ante el Arbitro.

2. Todos los demás gastos, inclusa una razonable gratificación al Secretario del Arbitro, si lo hubiere, se pagarán conforme al certificado del Arbitro por los dos Gobiernos y por partes iguales.

#### ARTÍCULO VII

La presente Convención será ratificada por el Presidente de los Estados Unidos, por y con autorización y consentimiento del Senado de dichos Estados Unidos; por el Presidente del Ecuador, previa la aprobación del Congreso de dicha República, y las ratificaciones se canjearán en Washington, á la brevedad posible.

En fé de lo cual, los Plenipotenciarios han firmado y sellado esta Convención por duplicado, en la ciudad de Quito á veintiocho de Febrero del año de Nuestro Señor de mil ochocientos noventa y tres.

[SEAL] ROWLAND BLENNERHASSET MAHANY  
[SEAL] HONORATO VASQUEZ

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Washington on the 6th day of November, one thousand eight hundred and ninety-four;

Now, therefore, be it known that I, Grover Cleveland, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 7th day of November, in the  
 [SEAL.] year of our Lord one thousand eight hundred and ninety-  
 four and of the Independence of the United States of  
 America the one hundred and nineteenth.

GROVER CLEVELAND

By the President:

W. Q. GRESHAM

*Secretary of State*







# GREAT BRITAIN—EXTRADITION.

---

## EXTRADITION CONVENTION

BETWEEN

THE UNITED STATES OF AMERICA AND HER BRITANNIC  
MAJESTY.

---

SUPPLEMENTARY TO THE TENTH ARTICLE OF THE TREATY  
CONCLUDED BETWEEN THE SAME HIGH CONTRACTING  
PARTIES ON THE NINTH DAY OF AUGUST, 1842.\*

---

*Concluded at Washington July 12, 1889.*

*Ratification advised (with amendments) by the Senate February 18, 1890.*

*Ratified by the President of the United States February 25, 1890.*

*Ratified by Her Britannic Majesty March 8, 1890.*

*Ratifications exchanged at London March 11, 1890.*

*Proclaimed March 25, 1890.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Whereas an Extradition Convention between the United States of America and the United Kingdom of Great Britain and Ireland, supplementary to the Tenth Article of the Treaty concluded between the same High Contracting Parties, on the ninth day of August, 1842, was concluded and signed by their respective Plenipotentiaries, on the twelfth day of July, 1889, the original of which Convention, as amended by the Senate of the United States and being in the English language, is word for word as follows :

Extradition Convention between the United States of America and Her Britannic Majesty, supplementary to the Tenth Article of the Treaty, concluded between the same High Contracting Parties on the ninth day of August, 1842.

Whereas by the Tenth Article of the Treaty concluded between the United States of America and Her Britannic Majesty on the ninth day of August, 1842, provision is made for the extradition of persons charged with certain crimes ;

---

\* See Appendix for Article X of the Treaty of 1842.

And Whereas it is now desired by the High Contracting Parties that the provisions of the said Article should embrace certain crimes not therein specified, and should extend to fugitives convicted of the crimes specified in the said Article and in this Convention ;

The said High Contracting Parties have appointed as their Plenipotentiaries to conclude a Convention for this purpose, that is to say :

The President of the United States of America, James G. Blaine, Secretary of State of the United States ;

And Her Majesty, the Queen of the United Kingdom of Great Britain and Ireland, Sir Julian Pauncefote, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Most Honorable Order of the Bath, and Envoy Extraordinary and Minister Plenipotentiary of Her Britannic Majesty to the United States ;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles :

#### ARTICLE I.

The provisions of the said Tenth Article are hereby made applicable to the following additional crimes :

1. Manslaughter, when voluntary.
2. Counterfeiting or altering money ; uttering or bringing into circulation counterfeit or altered money.
3. Embezzlement ; larceny ; receiving any money, valuable security, or other property, knowing the same to have been embezzled, stolen, or fraudulently obtained.
4. Fraud by a bailee, banker, agent, factor, trustee, or director or member or officer of any company, made criminal by the laws of both countries.
5. Perjury, or subornation of perjury.
6. Rape ; abduction ; child-stealing ; kidnapping.
7. Burglary ; house-breaking or shop-breaking.
8. Piracy by the law of nations.
9. Revolt, or conspiracy to revolt by two or more persons on board a ship on the high seas, against the authority of the master ; wrongfully sinking or destroying a vessel at sea, or attempting to do so ; assaults on board a ship on the high seas, with intent to do grievous bodily harm.
10. Crimes and offences against the laws of both countries for the suppression of slavery and slave-trading.

Extradition is also to take place for participation in any of the crimes mentioned in this Convention or in the aforesaid Tenth Article, provided such participation be punishable by the laws of both countries.

#### ARTICLE II.

A fugitive criminal shall not be surrendered, if the offence in respect of which his surrender is demanded be one of a political character, or if he proves that the requisition for his surrender has in fact been made with a view to try or punish him for an offence of a political character.

No person surrendered by either of the High Contracting Parties to the other shall be triable or tried, or be punished for any political crime or offence, or for any act connected therewith, committed previously to his extradition.

If any question shall arise as to whether a case comes within the provisions of this Article, the decision of the authorities of the government in whose jurisdiction the fugitive shall be at the time shall be final.

#### ARTICLE III. -

No person surrendered by or to either of the High Contracting Parties shall be triable or be tried for any crime or offence, committed prior to his extradition, other than the offence for which he was surrendered, until he shall have had an opportunity of returning to the country from which he was surrendered.

#### ARTICLE IV.

All articles seized which were in the possession of the person to be surrendered at the time of his apprehension, whether being the proceeds of the crime or offence charged, or being material as evidence in making proof of the crime or offence, shall, so far as practicable, and if the competent authority of the State applied to for the extradition has ordered the delivery thereof, be given up when the extradition takes place. Nevertheless, the rights of third parties with regard to the articles aforesaid shall be duly respected.

#### ARTICLE V.

If the individual claimed by one of the two High Contracting Parties, in pursuance of the present Convention, should also be claimed by one or several other Powers on account of crimes or offences committed within their respective jurisdictions, his extradition shall be granted to that State whose demand is first received.

The provisions of this Article, and also of Articles II to IV, inclusive, of the present Convention, shall apply to surrender for offences specified in the aforesaid Tenth Article, as well as to surrender for offences specified in this Convention.

#### ARTICLE VI.

The extradition of fugitives under the provisions of this Convention and of the said Tenth Article shall be carried out in the United States and in Her Majesty's dominions, respectively, in conformity with the laws regulating extradition for the time being in force in the surrendering State.

#### ARTICLE VII.

The provisions of the said Tenth Article and of this Convention shall apply to persons convicted of the crimes therein respectively named and specified, whose sentence therefor shall not have been executed.

In case of a fugitive criminal alleged to have been convicted of the crime for which his surrender is asked, a copy of the record of the conviction and of the sentence of the court before which such conviction took place, duly

authenticated, shall be produced, together with the evidence proving that the prisoner is the person to whom such sentence refers.

#### ARTICLE VIII.

The present Convention shall not apply to any of the crimes herein specified which shall have been committed, or to any conviction which shall have been pronounced, prior to the date at which the Convention shall come into force.

#### ARTICLE IX.

This Convention shall be ratified, and the ratifications shall be exchanged at London as soon as possible.

It shall come into force ten days after its publication, in conformity with the forms prescribed by the laws of the High Contracting Parties, and shall continue in force until one or the other of the High Contracting Parties shall signify its wish to terminate it, and no longer.

In witness whereof, the undersigned have signed the same and have affixed thereto their seals.

Done in duplicate at the city of Washington, this twelfth day of July, 1889.

[SEAL]

JAMES G. BLAINE.

[SEAL]

JULIAN PAUNCFOTE.

And whereas the said Convention has been duly ratified on both parts and the respective ratifications of the same were exchanged at the City of London, on the 11th day of March one thousand eight hundred and ninety:

Now, therefore, be it known that I, BENJAMIN HARRISON, President of the United States of America, have caused the said Convention, as amended, to be made public, to the end that the same, and every article and clause thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the city of Washington this 25th day of March, in the year of our Lord one thousand  
[SEAL.] eight hundred and ninety, and of the Independence of the United States the one hundred and fourteenth.

BENJ HARRISON

By the President:

JAMES G. BLAINE

*Secretary of State.*

## APPENDIX.

[For convenient reference article X of the Treaty of August 9, 1842, is reprinted.]

TREATY TO SETTLE AND DEFINE BOUNDARIES; FOR THE FINAL SUPPRESSION OF THE AFRICAN SLAVE TRADE; AND FOR THE GIVING UP OF CRIMINALS FUGITIVE FROM JUSTICE.

---

*Concluded at Washington, August 9, 1842.*

*Ratifications exchanged at London October 13, 1842.*

*Proclaimed November 10, 1842.*

---

\* \* \* \* \*

### ARTICLE X.

It is agreed that the United States and Her Britannic Majesty shall, upon mutual requisitions by them, or their Ministers, officers, or authorities, respectively made, deliver up to justice, all persons who, being charged with the crime of murder, or assault with intent to commit murder, or piracy, or arson, or robbery, or forgery, or the utterance of forged paper, committed within the jurisdiction of either, shall seek an asylum, or shall be found, within the territories of the other: Provided, that this shall only be done upon such evidence of criminality as, according to the laws of the place where the fugitive or person so charged, shall be found, would justify his apprehension and commitment for trial, if the crime or offence had there been committed: And the respective judges and other magistrates of the two Governments, shall have power, jurisdiction, and authority, upon complaint made under oath, to issue a warrant for the apprehension of the fugitive or person so charged, that he may be brought before such judges or other magistrates, respectively, to the end that the evidence of criminality may be heard and considered; and if, on such hearing, the evidence be deemed sufficient to sustain the charge it shall be the duty of the examining judge or magistrate, to certify the same to the proper executive authority, that a warrant may issue for the surrender of such fugitive.—The expense of such apprehension and delivery shall be borne and defrayed by the party who makes the requisition, and receives the fugitive.

### ARTICLE XI.

\* \* \* The tenth article shall continue in force until one or the other of the parties shall signify its wish to terminate it, and no longer.



# GREAT BRITAIN AND PORTUGAL—DELAGOA BAY.

---

## PROTOCOL.

SIGNED AT BERNE, JUNE 13, 1891.

---

The President of the Swiss Confederation having notified the Governments of Great Britain, the United States of North America and Portugal that the Swiss Federal Council had taken into consideration the request made by those Governments that it be pleased to appoint three lawyers, selected among those of the greatest distinction, to constitute an Arbitration Tribunal charged with fixing the amount of the indemnity due by Portugal to the claimants of the other two countries on account of the rescission of the concession of the Lourenço Marques Railroad, and of the taking possession of that railroad by the Portuguese Government, the Undersigned, Envoys Extraordinary and Ministers Plenipotentiary of Great Britain, the United States of North America, and Portugal, accredited near the Swiss Confederation, duly authorized by their respective Governments, have agreed to the following:

### ARTICLE I.

The mandate which the three Governments have agreed to refer to the Arbitration Tribunal is, to fix, as it shall deem most just, the amount of the compensation due by the Portuguese Government to the claimants of the other two countries, in consequence of the

Le Président de la Confédération Suisse ayant fait connaître aux Gouvernements de la Grande Bretagne, des Etats Unis de l'Amérique du Nord, et du Portugal que le Conseil Fédéral Suisse avait pris en considération la demande que ces Gouvernements lui ont faite de bien vouloir nommer trois Jurisconsultes, choisis parmi les plus distingués, pour composer un Tribunal arbitral chargé de fixer le montant de l'indemnité due par le Portugal aux ayant-droit des deux autres pays à raison de la rescission de la concession du Chemin de fer par de Lourenço Marques et de la prise de possession de ce chemin de fer par le Gouvernement Portugais, les Sous-signés, Envoyés Extraordinaires et Ministres Plénipotentiaires de la Grande Bretagne, des Etats Unis de l'Amérique du Nord et du Portugal accrédités auprès de la Confédération Suisse, dûment autorisés par leurs Gouvernements respectifs, sont convenus de ce qui suit:

### ARTICLE I

Le Mandat que les trois Gouvernements sont convenus de confier au Tribunal arbitral est de Fixer, comme il jugera le plus juste, le montant de la compensation due par le Gouvernement Portugais aux ayant-droit des deux autres pays par suite de la rescission de la con-

rescission of the concession of the Lourenço Marques Railroad, and the taking possession of that railroad by the Portuguese Government, and thereby to settle the controversy existing between the three Governments on the subject.

## ARTICLE II.

The Arbitration Tribunal will set the Governments of Great Britain and the United States of North America the term within which they must deliver to it the memoranda, conclusions and documents in support of the claims of their citizens.

These documents shall be transmitted in duplicate to the Portuguese Government, with the invitation to present its reply, its conclusions and the documents in support of them, likewise in duplicate, within the term which shall be set for it.

The Arbitration Tribunal shall itself, after hearing the parties or their representatives, and with their consent, fix the mode of procedure, especially the terms above-mentioned, and those to be set for the putting in of the replication and the rejoinder, the rules to be followed in hearing the parties or their representatives, the production of documents, the deliberation in its own bosom, the rendering of the judgment and the drawing up of the protocol.

Each of the three Governments undertakes to do all in its power to have the documents and information demanded by the Arbitration Tribunal furnished to it in due form and within the terms fixed by it.

## ARTICLE III.

The Arbitration Tribunal shall have full authority to take cognizance of the conclusions presented to it by each of the parties, in their whole extent and in all their appurtenances or incidents; it shall ren-

cession du Chemin de fer de Lourenço Marques et de la prise de possession de ce chemin de fer par le Gouvernement Portugais et de trancher ainsi le différend existant entre les trois Gouvernements à cet égard.

## ARTICLE II

Le Tribunal arbitral fixera aux Gouvernements de la Grande Bretagne et des Etats Unis de l'Amérique du Nord le délai lequel ceux-ci devront lui remettre les mémoires, conclusions et documents à l'appui des réclamations de leurs ressortissants.

Ces pièces seront transmises en deux doubles au Gouvernement Portugais avec invitation de produire également en deux doubles sa réponse, ses conclusions et les documents à l'appui dans le délai qui lui sera fixé.

Le Tribunal arbitral fixera lui-même après avoir entendu les parties ou leurs Représentants et d'accord avec elles, le mode de procédure, notamment les délais ci-dessus mentionnés et ceux à fixer pour la remise de la réplique et de la duplique les règles à suivre pour l'audition des parties ou de leurs Représentants, la production des documents, la délibération dans son sein, le prononcé du jugement et la rédaction du protocole.

Chacun des trois Gouvernements s'engage à faire tout ce que dépendra de lui pour que les pièces et renseignements demandés par le Tribunal arbitral lui soient fournis en due forme et dans les délais fixés par lui.

## ARTICLE III

Le Tribunal arbitral aura pleine compétence pour connaître des conclusions présentées par chacune des parties dans toute leur étendue et dans toutes leurs dépendances ou incidents, il rendra son jugement



der its judgment upon the substance of the cause, and shall pronounce, as it shall deem most just, upon the amount of the indemnity due by Portugal to the claimants of the other two countries, in consequence of the rescission of the concession of the Lourenço Marques Railroad, and of the taking possession of that railroad by that Government.

#### ARTICLE IV.

The judgment shall be final and without appeal.

The President of the Arbitration Tribunal shall deliver a certified copy of the decision to the Representatives of each of the three Governments.

The three Governments bind themselves beforehand, for themselves and for their respective citizens, to accept and carry out the decision, as a final settlement of all their differences upon this question. It is understood that, although it appertains to the Arbitration Tribunal to designate the private persons or the moral persons who are entitled to the indemnity, the amount of that indemnity shall be paid by the Portuguese Government to the other two Governments, in order that they may make distribution of it to the claimants. The receipt given by those two Governments shall constitute a complete and valid discharge of the Portuguese Government.

The amount of the indemnity shall be paid by the Portuguese Government to the other two Governments within the term of six months, counting from the rendering of the award.

#### ARTICLE V.

The President of the Arbitration Tribunal shall be requested to present an account of all the expenses occasioned by the arbitration, and the three Governments bind them-

sur le fond de la cause et prononcera, comme il jugera le plus juste, sur le montant de l'indemnité due par le Portugal aux ayant-droit des deux autres pays par suite de la rescission de la concession du chemin de fer de Lourenço Marques et de la prise de possession de ce chemin de fer par le même Gouvernement.

#### ARTICLE IV

Le jugement sera définitif et sans appel.

Le Président du Tribunal arbitral délivrera aux Représentants de chacun des trois Gouvernements une expédition authentique de la Sentence.

Les trois Gouvernements s'engagent d'avance pour leur propre part et pour la part de leurs ressortissants respectifs à accepter et exécuter la sentence comme règlement final de tous leurs différends sur cette question. Il est entendu que bien qu'il appartienne au Tribunal arbitral de désigner les personnes privées ou les personnes morales ayant droit à l'indemnité, le montant de cette indemnité sera remis par le Gouvernement Portugais aux deux autres Gouvernements pour qu'ils en passent la distribution aux ayant droit. La quittance délivrée par ces deux Gouvernements constituera pour le Gouvernement Portugais une décharge complète et valable.

Le montant de l'indemnité sera remis par le Gouvernement Portugais aux deux autres Gouvernements dans le délai de six mois à compter du prononcé du jugement.

#### ARTICLE V

Le Président du Tribunal arbitral sera prié de présenter le compte de tous les frais occasionés par l'arbitrage et les trois Gouvernements s'engagent à les faire payer

selves to have them paid at such time as the President shall fix.

In testimony whereof, the undersigned have drawn up this protocol, and have affixed their signatures and their seals.

Done in triplicate at Berne, June 13, 1891.

CHARLES S. SCOTT. [SEAL]

JOHN D. WASHBURN. [SEAL]

D. G. NOGUEIRA SOARES. [SEAL]

à l'époque que le Président désignera.

En foi de quoi les Soussignés ont dressé ce protocole et ont apposé leurs signatures et leurs sceaux.

Fait à Berne en triple expédition le 13 Juin 1891.

CHARLES S. SCOTT. [L.S.]

JOHN D. WASHBURN. [L.S.]

D. G. NOGUEIRA SOARES. [L.S.]

[GREAT BRITAIN—FUR-SEAL FISHERIES.]

---

MODUS VIVENDI RESPECTING THE FUR-SEAL FISHERIES IN  
BEHRING SEA.

Signed at Washington, June 15, 1891.  
Proclaimed, June 15, 1891.

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas an agreement for a modus vivendi between the Government of the United States and the Government of Her Britannic Majesty, in relation to the Fur Seal Fisheries in Behring Sea, was concluded on the fifteenth day of June in the year of our Lord one thousand eight hundred and ninety-one, word for word as follows:

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES  
AND THE GOVERNMENT OF HER BRITANNIC MAJESTY FOR A MODUS  
VIVENDI IN RELATION TO THE FUR SEAL FISHERIES IN BEHRING  
SEA.

For the purpose of avoiding irritating differences and with a view to promote the friendly settlement of the questions pending between the two Governments touching their respective rights in Behring Sea, and for the preservation of the seal species, the following agreement is made without prejudice to the rights or claims of either party.

I. Her Majesty's Government will prohibit, until May next, seal killing in that part of Behring Sea lying eastward of the line of demarcation described in Article No. 1 of the Treaty of 1867 between the United States and Russia, and will promptly use its best efforts to ensure the observance of this prohibition by British subjects and vessels.

II. The United States Government will prohibit seal killing for the same period in the same part of Behring Sea and on the shores and islands thereof, the property of the United States (in excess of 7,500 to be taken on the islands for the subsistence and care of the natives) and will promptly use its best efforts to ensure the observance of this prohibition by United States citizens and vessels.

III. Every vessel or person offending against this prohibition in the said waters of Behring Sea outside of the ordinary territorial limits of the United States, may be seized and detained by the naval or other duly commissioned officers of either of the High Contracting Parties, but they shall be handed over as soon as practicable to the authorities

of the nation to which they respectively belong, who shall alone have jurisdiction to try the offense and impose the penalties for the same. The witnesses and proofs necessary to establish the offense shall also be sent with them.

IV. In order to facilitate such proper inquiries as Her Majesty's Government may desire to make, with a view to the presentation of the case of that government before arbitrators, and in expectation that an agreement for arbitration may be arrived at, it is agreed that suitable persons designated by Great Britain will be permitted at any time, upon application, to visit or to remain upon the seal islands during the present sealing season for that purpose.

Signed and sealed in duplicate at Washington, this fifteenth day of June 1891, on behalf of their respective Governments, by William F. Wharton, Acting Secretary of State of the United States, and Sir Julian Pauncefote, G. C. M. G., K. C. B., H. B. M. Envoy Extraordinary and Minister Plenipotentiary.

WILLIAM F. WHARTON [SEAL]  
JULIAN PAUNCEFOTE [SEAL]

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the said agreement to be made public, to the end that the same and every part thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this fifteenth day of June, in the year of our Lord, one thousand eight hundred and ninety-one, [SEAL] and of the Independence of the United States the one hundred and fifteenth.

BENJ HARRISON

By the President:

WILLIAM F. WHARTON  
*Acting Secretary of State*





A CONVENTION

BETWEEN

THE GOVERNMENTS OF THE UNITED STATES AND HER  
BRITANNIC MAJESTY.

---

SUBMITTING TO ARBITRATION THE QUESTIONS WHICH HAVE  
ARISEN BETWEEN THOSE GOVERNMENTS CONCERNING THE  
JURISDICTIONAL RIGHTS OF THE UNITED STATES IN THE  
WATERS OF BEHRING SEA.

---

*Signed at Washington February 29, 1892.*

*Ratification advised by the Senate March 29, 1892.*

*Ratified by the President April 22, 1892.*

*Ratifications exchanged May 7, 1892.*

*Proclaimed May 9, 1892.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Convention between the United States of America and Great Britain providing for an amicable settlement of the questions which have arisen between those Governments concerning the jurisdictional rights of the United States in the waters of the Behring Sea, and concerning also the preservation of the fur-seal in, or habitually resorting to, the said Sea, and the rights of the citizens and subjects of either country as regards the taking of fur-seal in, or habitually resorting to, the said waters, was signed by their respective Plenipotentiaries at the City of Washington, on the twenty-ninth day of February, one thousand eight hundred and ninety-two, the original of which Convention, being in the English language and as amended by the Senate of the United States, is word for word as follows:

The United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, being desirous to provide for an amicable settlement of the questions which have arisen between their respec-

tive governments concerning the jurisdictional rights of the United States in the waters of Behring's Sea, and concerning also the preservation of the fur-seal in, or habitually resorting to, the said Sea, and the rights of the citizens and subjects of either country as regards the taking of fur-seal in, or habitually resorting to, the said waters, have resolved to submit to arbitration the questions involved, and to the end of concluding a convention for that purpose have appointed as their respective Plenipotentiaries:

The President of the United States of America, James G. Blaine, Secretary of State of the United States; and

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Sir Julian Pauncefoot, G. C. M. G., K. C. B., Her Majesty's Envoy Extraordinary and Minister Plenipotentiary to the United States;

Who, after having communicated to each other their respective full powers which were found to be in due and proper form, have agreed to and concluded the following articles.

#### ARTICLE I.

The questions which have arisen between the Government of the United States and the Government of Her Britannic Majesty concerning the jurisdictional rights of the United States in the waters of Behring's Sea, and concerning also the preservation of the fur-seal in, or habitually resorting to, the said Sea, and the rights of the citizens and subjects of either country as regards the taking of fur-seal in, or habitually resorting to, the said waters, shall be submitted to a tribunal of Arbitration, to be composed of seven Arbitrators, who shall be appointed in the following manner, that is to say: Two shall be named by the President of the United States; two shall be named by Her Britannic Majesty; His Excellency the President of the French Republic shall be jointly requested by the High Contracting Parties to name one; His Majesty the King of Italy shall be so requested to name one; and His Majesty the King of Sweden and Norway shall be so requested to name one. The seven Arbitrators to be so named shall be jurists of distinguished reputation in their respective countries; and the selecting Powers shall be requested to choose, if possible, jurists who are acquainted with the English language.

In case of the death, absence or incapacity to serve of any or either of the said Arbitrators, or in the event of any or either of the said Arbitrators omitting or declining or ceasing to act as such, the President of the United States, or Her Britannic Majesty, or His Excellency the President of the French Republic, or His Majesty the King of Italy, or His Majesty the King of Sweden and Norway, as the case may be, shall name, or shall be requested to name forthwith another person to act as Arbitrator in the place and stead of the Arbitrator originally named by such head of a State.

And in the event of the refusal or omission for two months after receipt of the joint request from the High Contracting Parties of His Excellency the President of the French Republic, or His Majesty the King of Italy, or His



Majesty the King of Sweden and Norway, to name an Arbitrator, either to fill the original appointment or to fill a vacancy as above provided, then in such case the appointment shall be made or the vacancy shall be filled in such manner as the High Contracting Parties shall agree.

## ARTICLE II.

The Arbitrators shall meet at Paris within twenty days after the delivery of the counter cases mentioned in Article IV, and shall proceed impartially and carefully to examine and decide the questions that have been or shall be laid before them as herein provided on the part of the Governments of the United States and Her Britannic Majesty respectively. All questions considered by the tribunal, including the final decision, shall be determined by a majority of all the Arbitrators.

Each of the High Contracting Parties shall also name one person to attend the tribunal as its Agent to represent it generally in all matters connected with the arbitration.

## ARTICLE III.

The printed case of each of the two parties, accompanied by the documents, the official correspondence, and other evidence on which each relies, shall be delivered in duplicate to each of the Arbitrators and to the Agent of the other party as soon as may be after the appointment of the members of the tribunal, but within a period not exceeding four months from the date of the exchange of the ratifications of this treaty.

## ARTICLE IV.

Within three months after the delivery on both sides of the printed case, either party may, in like manner deliver in duplicate to each of the said Arbitrators, and to the Agent of the other party, a counter case, and additional documents, correspondence, and evidence, in reply to the case, documents, correspondence, and evidence so presented by the other party.

If, however, in consequence of the distance of the place from which the evidence to be presented is to be procured, either party shall, within thirty days after the receipt by its agent of the case of the other party, give notice to the other party that it requires additional time for the delivery of such counter case, documents, correspondence and evidence, such additional time so indicated, but not exceeding sixty days beyond the three months in this Article provided, shall be allowed.

If in the case submitted to the Arbitrators either party shall have specified or alluded to any report or document in its own exclusive possession, without annexing a copy, such party shall be bound, if the other party thinks proper to apply for it, to furnish that party with a copy thereof; and either party may call upon the other, through the Arbitrators, to produce the originals or certified copies of any papers adduced as evidence, giving in each instance notice thereof within thirty days after delivery of the case; and the

original or copy so requested shall be delivered as soon as may be and within a period not exceeding forty days after receipt of notice.

#### ARTICLE V.

It shall be the duty of the Agent of each party, within one month after the expiration of the time limited for the delivery of the counter case on both sides, to deliver in duplicate to each of the said Arbitrators and to the Agent of the other party a printed argument showing the points and referring to the evidence upon which his Government relies, and either party may also support the same before the Arbitrators by oral argument of counsel; and the Arbitrators may, if they desire further elucidation with regard to any point, require a written or printed statement or argument, or oral argument by counsel, upon it; but in such case the other party shall be entitled to reply either orally or in writing, as the case may be.

#### ARTICLE VI.

In deciding the matters submitted to the Arbitrators, it is agreed that the following five points shall be submitted to them, in order that their award shall embrace a distinct decision upon each of said five points, to wit:

1. What exclusive jurisdiction in the sea now known as the Behring's Sea, and what exclusive rights in the seal fisheries therein, did Russia assert and exercise prior and up to the time of the cession of Alaska to the United States?

2. How far were these claims of jurisdiction as to the seal fisheries recognized and conceded by Great Britain?

3. Was the body of water now known as the Behring's Sea included in the phrase "Pacific Ocean," as used in the Treaty of 1825 between Great Britain and Russia; and what rights, if any, in the Behring's Sea were held and exclusively exercised by Russia after said Treaty?

4. Did not all the rights of Russia as to jurisdiction, and as to the seal fisheries in Behring's Sea east of the water boundary, in the Treaty between the United States and Russia of the 30th. March, 1867, pass unimpaired to the United States under that Treaty?

5. Has the United States any right, and if so, what right of protection or property in the fur-seals frequenting the islands of the United States in Behring Sea when such seals are found outside the ordinary three-mile limit?

#### ARTICLE VII.

If the determination of the foregoing questions as to the exclusive jurisdiction of the United States shall leave the subject in such position that the concurrence of Great Britain is necessary to the establishment of Regulations for the proper protection and preservation of the fur-seal in, or habitually resorting to, the Behring Sea, the Arbitrators shall then determine what concurrent Regulations outside the jurisdictional limits of the respective Governments are necessary, and over what waters such Regulations should

extend, and to aid them in that determination the report of a Joint Commission to be appointed by the respective Governments shall be laid before them, with such other evidence as either Government may submit.

The High Contracting Parties furthermore agree to coöperate in securing the adhesion of other Powers to such Regulations.

#### ARTICLE VIII.

The High Contracting Parties having found themselves unable to agree upon a reference which shall include the question of the liability of each for the injuries alleged to have been sustained by the other, or by its citizens, in connection with the claims presented and urged by it; and, being solicitous that this subordinate question should not interrupt or longer delay the submission and determination of the main questions, do agree that either may submit to the Arbitrators any question of fact involved in said claim and ask for a finding thereon, the question of the liability of either Government upon the facts found to be the subject of further negotiation.

#### ARTICLE IX.

The High Contracting Parties having agreed to appoint two Commissioners on the part of each Government to make the joint investigation and report contemplated in the preceding Article VII, and to include the terms of the said Agreement in the present Convention, to the end that the joint and several reports and recommendations of said Commissioners may be in due form submitted to the Arbitrators should the contingency therefor arise, the said Agreement is accordingly herein included as follows:

Each Government shall appoint two Commissioners to investigate conjointly with the Commissioners of the other Government all the facts having relation to seal life in Behring's Sea, and the measures necessary for its proper protection and preservation.

The four Commissioners shall, so far as they may be able to agree, make a joint report to each of the two Governments, and they shall also report, either jointly or severally, to each Government on any points upon which they may be unable to agree.

These reports shall not be made public until they shall be submitted to the Arbitrators, or it shall appear that the contingency of their being used by the Arbitrators can not arise.

#### ARTICLE X.

Each Government shall pay the expenses of its members of the Joint Commission in the investigation referred to in the preceding Article.

#### ARTICLE XI.

The decision of the tribunal shall, if possible, be made within three months from the close of the argument on both sides.

It shall be made in writing and dated, and shall be signed by the Arbitrators who may assent to it.

The decision shall be in duplicate, one copy whereof shall be delivered to the Agent of the United States for his Government, and the other copy shall be delivered to the Agent of Great Britain for his Government.

#### ARTICLE XII.

Each Government shall pay its own Agent and provide for the proper remuneration of the counsel employed by it and of the Arbitrators appointed by it, and for the expense of preparing and submitting its case to the tribunal. All other expenses connected with the Arbitration shall be defrayed by the two Governments in equal moieties.

#### ARTICLE XIII.

The Arbitrators shall keep an accurate record of their proceedings and may appoint and employ the necessary officers to assist them.

#### ARTICLE XIV.

The High Contracting Parties engage to consider the result of the proceedings of the tribunal of arbitration, as a full, perfect, and final settlement of all the questions referred to the Arbitrators.

#### ARTICLE XV.

The present treaty shall be duly ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by Her Britannic Majesty; and the ratification shall be exchanged either at Washington or at London within six months from the date hereof, or earlier if possible.

In faith whereof, we, the respective Plenipotentiaries, have signed this treaty and have hereunto affixed our seals.

Done in duplicate at Washington the twenty-ninth day of February, one thousand eight hundred and ninety-two.

JAMES G. BLAINE [SEAL.]  
JULIAN PAUNCEFOTE [SEAL.]

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the City of London, on the seventh day of May, one thousand, eight hundred and ninety-two;

Now, therefore, be it known that I, BENJAMIN HARRISON, President of the United States of America, have caused the said Convention to be made public, as amended, to the end that the same, and every article and clause thereof, may be

observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this ninth day of May  
in the year of our Lord one thousand, eight hun-  
[SEAL.] dred and ninety-two, and of the Independence of  
the United States the one hundred and sixteenth.

BENJ HARRISON

By the President:

JAMES G. BLAINE

*Secretary of State.*

# CONVENTION

BETWEEN

THE GOVERNMENTS OF THE UNITED STATES AND HER  
BRITANNIC MAJESTY.

---

RENEWAL OF THE EXISTING MODUS VIVENDI IN BEHRING SEA.

---

*Signed at Washington April 18, 1892.*

*Ratification advised by the Senate April 19, 1892.*

*Ratified by the President April 22, 1892.*

*Ratifications exchanged May 7, 1892.*

*Proclaimed May 9, 1892.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

## A PROCLAMATION.

Whereas a Convention between the United States of America and Great Britain for the renewal of the existing *modus vivendi* in Behring's Sea was signed by their respective Plenipotentiaries at the City of Washington, on the eighteenth day of April, one thousand eight hundred and ninety-two, the original of which Convention, being in the English language, is word for word as follows :

*CONVENTION between the United States of America and Great Britain for the renewal of the existing "modus vivendi" in Behring's Sea.*

Whereas by a Convention concluded between the United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, on the twenty-ninth day of February, one thousand eight hundred and ninety-two, the High Contracting Parties have agreed to submit to Arbitration, as therein stated, the questions which have arisen between them concerning the jurisdictional rights of the United States in the waters of Behring's Sea and concerning also the preservation of the fur-seal in, or habitually resorting to, the said sea, and the rights of the citizens and subjects of either country as regards the taking of the fur-seal in, or habitu-

ally resorting to, the said waters; and whereas the High Contracting Parties, having differed as to what restrictive Regulations for seal-hunting are necessary, during the pendency of such Arbitration, have agreed to adjust such difference in manner hereinafter mentioned, and without prejudice to the rights of either party:

The said High Contracting Parties have appointed as their Plenipotentiaries to conclude a Convention for this purpose, that is to say:

The President of the United States of America, James G. Blaine, Secretary of State of the United States;

And Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Sir Julian Pauncefote, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Most Honorable Order of the Bath, and Envoy Extraordinary and Minister Plenipotentiary of Her Britannic Majesty to the United States;

Who, after having communicated to each other their respective full powers, found in due and good form, have agreed upon and concluded the following Articles:

#### ARTICLE I.

Her Majesty's Government will prohibit, during the pendency of the Arbitration, seal killing in that part of Behring Sea lying eastward of the line of demarcation described in Article No. I of the Treaty of 1867 between the United States and Russia, and will promptly use its best efforts to ensure the observance of this prohibition by British subjects and vessels.

#### ARTICLE II

The United States Government will prohibit seal-killing for the same period in the same part of Behring's Sea, and on the shores and islands thereof, the property of the United States (in excess of seven thousand five hundred to be taken on the islands for the subsistence of the natives), and will promptly use its best efforts to ensure the observance of this prohibition by United States citizens and vessels.

#### ARTICLE III

Every vessel or person offending against this prohibition in the said waters of Behring Sea outside of the ordinary territorial limits of the United States, may be seized and detained by the naval or other duly commissioned officers of either of the High Contracting Parties, but they shall be handed over as soon as practicable to the authorities of the Nation to which they respectively belong, who alone shall have jurisdiction to try the offence and impose the penalties for the same. The witnesses and proof necessary to establish the offence shall also be sent with them.

#### ARTICLE IV.

In order to facilitate such proper inquiries as Her Majesty's Government may desire to make with a view to the presentation of the case and argu-

ments of that Government before the Arbitrators, it is agreed that suitable persons designated by Great Britain will be permitted at any time, upon application, to visit or remain upon the Seal Islands during the sealing season for that purpose.

#### ARTICLE V.

If the result of the Arbitration be to affirm the right of British Sealers to take seals in Behring Sea within the bounds claimed by the United States, under its purchase from Russia, then compensation shall be made by the United States to Great Britain (for the use of her subjects) for abstaining from the exercise of that right during the pendency of the Arbitration upon the basis of such a regulated and limited catch or catches as in the opinion of the Arbitrators might have been taken without an undue diminution of the seal-herds; and, on the other hand, if the result of the Arbitration shall be to deny the right of British sealers to take seals within the said waters, then compensation shall be made by Great Britain to the United States (for itself, its citizens and lessees) for this agreement to limit the island catch to seven thousand five hundred a season, upon the basis of the difference between this number and such larger catch as in the opinion of the Arbitrators might have been taken without an undue diminution of the seal-herds.

The amount awarded, if any, in either case shall be such as under all the circumstances is just and equitable, and shall be promptly paid.

#### ARTICLE VI.

This Convention may be denounced by either of the High Contracting Parties at any time after the thirty-first day of October, one thousand eight hundred and ninety-three, on giving to the other Party two months notice of its termination; and at the expiration of such notice the Convention shall cease to be in force.

#### ARTICLE VII.

The present Convention shall be duly ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by Her Britannic Majesty; and the ratifications shall be exchanged either at Washington or at London as early as possible.

In faith whereof, we, the respective Plenipotentiaries have signed this Convention and have hereunto affixed our Seals.

Done in duplicate at Washington, this eighteenth day of April, one thousand eight hundred and ninety-two.

JAMES G. BLAINE [SEAL.]  
JULIAN PAUNCEFOTE. [SEAL.]

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the City of London, on the seventh day of May, one thousand, eight hundred and ninety-two;



Now, therefore, be it known that I, BENJAMIN HARRISON, President of the United States of America, have caused the said Convénion to be made public, to the end that the same, and every article and clause thereof, may be observed in good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this ninth day of May, in the year of our Lord one thousand, eight hundred [SEAL.] and ninety-two, and of the Independence of the United States the one hundred and sixteenth.

BENJ HARRISON

By the President:

JAMES G. BLAINE

*Secretary of State.*



## TREATY

BETWEEN

### THE UNITED STATES OF AMERICA AND THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND

FOR THE RECOVERY OF PERSONS WHO MAY DESERT FROM THE MERCHANT VESSELS OF EITHER COUNTRY WHILE IN THE PORTS OF THE OTHER.

---

*Concluded at Washington June 3, 1892.*

*Ratification advised by the Senate June 30, 1892.*

*Ratified by the President of the United States July 14, 1892.*

*Ratified by the Queen of Great Britain and Ireland July 9, 1892.*

*Ratifications exchanged at Washington August 1, 1892.*

*Proclaimed August 1, 1892.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

#### A PROCLAMATION.

Whereas a Treaty between the United States and Great Britain for the recovery of persons who may desert from the merchant vessels of either country while in the ports of the other, was signed by their respective Plenipotentiaries on the 3rd of June, 1892, the original of which Treaty, being in the English language, is word for word as follows:

Treaty between the United States and Great Britain for the recovery of persons who may desert from the merchant vessels of either country while in the ports of the other.

Whereas the Governments of the United States of America and of Great Britain are desirous to make provision for the apprehension, recovery and restoration of persons who may desert from merchant vessels of their respective countries while in the ports of the other country, and to conclude a treaty for the above purpose, the High Contracting Parties have accordingly appointed as their Plenipotentiaries to conclude the said treaty, that is to say:

The President of the United States of America, James G. Blaine, Secretary of State of the United States; and

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Sir Julian Pauncefote, G. C. M. G., K. C. B., Her Majesty's Envoy Extraordinary and Minister Plenipotentiary to the United States;

Who, after having communicated to each other their respective full powers found in due and good form, have agreed upon the following articles.

#### ARTICLE I.

The Consuls General, Consuls, Vice-Consuls and Consular Agents of either of the High Contracting Parties, residing in the dominions, possessions or colonies of the other, shall have power to require from the proper authorities the assistance provided by law for the apprehension, recovery and restoration of seamen who may desert from any ship belonging to a citizen or subject of their respective countries, while in the ports of the other country. If, however, any such deserter shall have committed any crime or offence in the country where he is found, his surrender or restoration may be delayed until the proper tribunal before which the case shall be pending or may be cognizable, shall have pronounced its sentence and the sentence shall have been carried into effect.

It is understood that the preceding stipulations shall not apply to the citizens or subjects of the country where the desertion shall take place.

#### ARTICLE II.

The present Treaty shall be ratified and the ratifications shall be exchanged at Washington or at London without delay.

#### ARTICLE III.

The present Treaty shall come into operation at the expiration of thirty days from the date of the exchange of ratifications. It shall remain in force for five years after that date and thereafter until terminated by a twelve months' notice to be given by either High Contracting Party to the other.

In faith whereof, we, the respective Plenipotentiaries have signed this Treaty and have hereunto affixed our Seals.

Done in duplicate at Washington, this third day of June, one thousand eight hundred and ninety-two.

JAMES G. BLAINE [SEAL.]

JULIAN PAUNCEFOTE [SEAL.]

And whereas the said Treaty has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the city of Washington, on the first day of August, one thousand eight hundred and ninety-two;

Now, therefore, be it known that I, BENJAMIN HARRISON, President of the United States of America, have caused the

said Treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the City of Washington this first day of August  
in the year of our Lord one thousand eight hundred  
[SEAL.] and ninety-two, and of the Independence of the  
United States the one hundred and seventeenth.

BENJ HARRISON

By the President:

JOHN W. FOSTER,

*Secretary of State.*



## CONVENTION

BETWEEN

THE UNITED STATES OF AMERICA AND THE UNITED KING-  
DOM OF GREAT BRITAIN AND IRELAND

FOR A JOINT SURVEY OF THE TERRITORY ADJACENT TO THE  
BOUNDARY LINE OF THE UNITED STATES OF AMERICA AND  
THE DOMINION OF CANADA DIVIDING THE TERRITORY OF  
ALASKA FROM THE PROVINCE OF BRITISH COLUMBIA AND  
THE NORTHWEST TERRITORY OF CANADA.

---

*Concluded at Washington July 22, 1892.*

*Ratification advised by the Senate July 25, 1892.*

*Ratified by the President of the United States July 29, 1892.*

*Ratified by the Queen of Great Britain and Ireland August 5, 1892.*

*Ratifications exchanged at Washington August 23, 1892.*

*Proclaimed August 26, 1892.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA  
A PROCLAMATION.

Whereas a Convention between the United States of America and Great Britain providing for the delimitation of the existing boundary between the United States and Her Majesty's possessions in North America in respect to such portions of said boundary as may not in fact have been permanently marked in virtue of treaties heretofore concluded, was signed by their respective Plenipotentiaries at the City of Washington, on the twenty-second day of July, one thousand eight hundred and ninety-two, the original of which Convention, being in the English language, is word for word as follows:

The United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, being equally desirous to provide for the removal of all possible cause of difference between their respective governments hereafter in regard to the delimitation of the existing boundary between the United States and Her Majesty's possessions in North America in respect to such portions of said boundary as may not in fact have been permanently marked in virtue of treaties heretofore concluded; have resolved to conclude a Convention in furtherance of these ends, and for that purpose have appointed as their respective Plenipotentiaries;

The President of the United States, John W. Foster, Secretary of State of the United States, and

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, The Honorable Michael H. Herbert, Chargé d'Affaires *ad interim* of Great Britain,

Who, after having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed to and concluded the following Articles :

#### ARTICLE I.

The High Contracting Parties agree that a coincident or joint survey (as may be found in practice most convenient) shall be made of the territory adjacent to that part of the boundary line of the United States of America and the Dominion of Canada dividing the Territory of Alaska from the Province of British Columbia and the Northwest Territory of Canada, from the latitude of 54° 40' North to the point where the said boundary line encounters the 141st degree of longitude westward from the meridian of Greenwich, by Commissions to be appointed severally by the High Contracting Parties, with a view to the ascertainment of the facts and data necessary to the permanent delimitation of said boundary line in accordance with the spirit and intent of the existing treaties in regard to it between Great Britain and Russia and between the United States and Russia.

Application will be made without delay to the respective legislative bodies for the appropriations necessary for the prosecution of the survey, and the Commissions to be appointed by the two governments shall meet at Ottawa within two months after said appropriation shall have been made, and shall proceed as soon as practicable thereafter to the active discharge of their duties.

The respective Commissions shall complete the survey and submit their final reports thereof within two years from the date of their first meeting.

The Commissions shall, so far as they may be able to agree, make a joint report to each of the two governments, and they shall also report, either jointly or severally, to each government on any points upon which they may be unable to agree.

Each government shall pay the expenses of the Commission appointed by it.

Each government engages to facilitate in every possible way any operations which, in pursuance of the plan to be agreed upon by the Commissions, may be conducted within its territory by the Commission of the other.

The High Contracting Parties agree that, as soon as practicable after the report or reports of the Commissions shall have been received, they will proceed to consider and establish the boundary line in question.

#### ARTICLE II.

The High Contracting Parties agree that the Governments of the United States and of Her Britannic Majesty in behalf of the Dominion of Canada shall, with as little delay as possible, appoint two Commissioners, one to be



named by each party, to determine upon a method of more accurately marking the boundary line between the two countries in the waters of Passamaquoddy Bay in front of and adjacent to Eastport, in the State of Maine, and to place buoys or fix such other boundary marks as they may determine to be necessary.

Each government shall pay the expenses of its own Commissioner, and cost of marking the boundary in such manner as shall be determined upon shall be defrayed by the High Contracting Parties in equal moieties.

### ARTICLE III.

The present Convention shall be duly ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by Her Britannic Majesty; and the ratifications shall be exchanged at Washington within twelve months from the date hereof, or earlier if possible.

In faith whereof we, the respective Plenipotentiaries, have signed this Convention and have hereunto affixed our seals.

Done in duplicate at Washington the 22d day of July one thousand eight hundred and ninety-two.

JOHN W. FOSTER. [SEAL.]

MICHAEL H HERBERT [SEAL.]

And Whereas the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the City of Washington, on the twenty-third day of August, one thousand eight hundred and ninety-two;

Now, therefore, be it known that I, BENJAMIN HARRISON, President of the United States of America, have caused the said Convention to be made public, to the end that the same, and every article and clause thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this twenty-sixth day of August in the year of our Lord one thousand eight  
[SEAL.] hundred and ninety-two and of the Independence of the United States the one hundred and seventeenth.

BENJ HARRISON

By the President:

JOHN W. FOSTER,

*Secretary of State.*



CONVENTION

BETWEEN

THE UNITED STATES OF AMERICA AND THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND

FOR A JOINT SURVEY OF THE TERRITORY ADJACENT TO THE BOUNDARY LINE OF THE UNITED STATES OF AMERICA AND THE DOMINION OF CANADA DIVIDING THE TERRITORY OF ALASKA FROM THE PROVINCE OF BRITISH COLUMBIA AND THE NORTHWEST TERRITORY OF CANADA.

---

*Concluded at Washington July 22, 1892.*

*Ratification advised by the Senate July 25, 1892.*

*Ratified by the President of the United States July 29, 1892.*

*Ratified by the Queen of Great Britain and Ireland August 5, 1892.*

*Ratifications exchanged at Washington August 23, 1892.*

*Proclaimed August 26, 1892.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA  
A PROCLAMATION.

Whereas a Convention between the United States of America and Great Britain providing for the delimitation of the existing boundary between the United States and Her Majesty's possessions in North America in respect to such portions of said boundary as may not in fact have been permanently marked in virtue of treaties heretofore concluded, was signed by their respective Plenipotentiaries at the City of Washington, on the twenty-second day of July, one thousand eight hundred and ninety-two, the original of which Convention, being in the English language, is word for word as follows:

The United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, being equally desirous to provide for the removal of all possible cause of difference between their respective governments hereafter in regard to the delimitation of the existing boundary between the United States and Her Majesty's possessions in North America in respect to such portions of said boundary as may not in fact have been permanently marked in virtue of treaties heretofore concluded; have resolved to conclude a Convention in furtherance of these ends, and for that purpose have appointed as their respective Plenipotentiaries;

The President of the United States, John W. Foster, Secretary of State of the United States, and

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, The Honorable Michael H. Herbert, Chargé d'Affaires *ad interim* of Great Britain,

Who, after having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed to and concluded the following Articles:

#### ARTICLE I.

The High Contracting Parties agree that a coincident or joint survey (as may be found in practice most convenient) shall be made of the territory adjacent to that part of the boundary line of the United States of America and the Dominion of Canada dividing the Territory of Alaska from the Province of British Columbia and the Northwest Territory of Canada, from the latitude of 54° 40' North to the point where the said boundary line encounters the 141st degree of longitude westward from the meridian of Greenwich, by Commissions to be appointed severally by the High Contracting Parties, with a view to the ascertainment of the facts and data necessary to the permanent delimitation of said boundary line in accordance with the spirit and intent of the existing treaties in regard to it between Great Britain and Russia and between the United States and Russia.

Application will be made without delay to the respective legislative bodies for the appropriations necessary for the prosecution of the survey, and the Commissions to be appointed by the two governments shall meet at Ottawa within two months after said appropriation shall have been made, and shall proceed as soon as practicable thereafter to the active discharge of their duties.

The respective Commissions shall complete the survey and submit their final reports thereof within two years from the date of their first meeting.

The Commissions shall, so far as they may be able to agree, make a joint report to each of the two governments, and they shall also report, either jointly or severally, to each government on any points upon which they may be unable to agree.

Each government shall pay the expenses of the Commission appointed by it.

Each government engages to facilitate in every possible way any operations which, in pursuance of the plan to be agreed upon by the Commissions, may be conducted within its territory by the Commission of the other.

The High Contracting Parties agree that, as soon as practicable after the report or reports of the Commissions shall have been received, they will proceed to consider and establish the boundary line in question.

#### ARTICLE II.

The High Contracting Parties agree that the Governments of the United States and of Her Britannic Majesty in behalf of the Dominion of Canada shall, with as little delay as possible, appoint two Commissioners, one to be

named by each party, to determine upon a method of more accurately marking the boundary line between the two countries in the waters of Passamaquoddy Bay in front of and adjacent to Eastport, in the State of Maine, and to place buoys or fix such other boundary marks as they may determine to be necessary.

Each government shall pay the expenses of its own Commissioner, and cost of marking the boundary in such manner as shall be determined upon shall be defrayed by the High Contracting Parties in equal moieties.

### ARTICLE III.

The present Convention shall be duly ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by Her Britannic Majesty; and the ratifications shall be exchanged at Washington within twelve months from the date hereof, or earlier if possible.

In faith whereof we, the respective Plenipotentiaries, have signed this Convention and have hereunto affixed our seals.

Done in duplicate at Washington the 22d day of July one thousand eight hundred and ninety-two.

JOHN W. FOSTER. [SEAL.]

MICHAEL H HERBERT [SEAL.]

And Whereas the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the City of Washington, on the twenty-third day of August, one thousand eight hundred and ninety-two;

Now, therefore, be it known that I, BENJAMIN HARRISON, President of the United States of America, have caused the said Convention to be made public, to the end that the same, and every article and clause thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this twenty-sixth day of August in the year of our Lord one thousand eight  
[SEAL.] hundred and ninety-two and of the Independence of the United States the one hundred and seventeenth.

BENJ HARRISON

By the President:

JOHN W. FOSTER,

*Secretary of State.*



# GREAT BRITAIN—BOUNDARY.

---

## SUPPLEMENTAL CONVENTION

BETWEEN

THE UNITED STATES OF AMERICA AND THE UNITED KINGDOM  
OF GREAT BRITAIN AND IRELAND,

EXTENDING,

UNTIL DECEMBER 31, 1895, THE PROVISIONS OF ARTICLE I, OF THE CONVENTION OF JULY 22, 1892, RELATIVE TO BRITISH POSSESSIONS IN NORTH AMERICA.

---

*Signed at Washington, February 3, 1894.*

*Ratification advised by the Senate, February 12, 1894.*

*Ratified by the President, February 15, 1894.*

*Ratified by Her Majesty the Queen, March 9, 1894.*

*Ratifications exchanged at Washington, March 28, 1894.*

*Proclaimed March 28, 1894.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Whereas, a Supplemental Convention between the United States of America and Great Britain, extending, until December 31, 1895, the provisions of Article I of the Convention of July 22, 1892 relative to British possessions in North America, was concluded and signed by their respective plenipotentiaries at the city of Washington on the 3d day of February in the year one thousand eight hundred and ninety-four, which Supplemental Convention is word for word as follows:

The Governments of the United States of America and of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, being credibly advised that the labors of the Commission organized pursuant to the Convention which was concluded between the High Contracting Parties at Washington, July 22, 1892, providing for the delimitation of the existing boundary between the United States and Her Majesty's possessions in North America in respect to such portions of said boundary line as may not in fact have been permanently marked in virtue of treaties heretofore concluded, can not be accomplished within the period of two years from the first meeting of the Commission as fixed by that Convention, have deemed it expedient to conclude a supplementary convention extending the term for a fur-

ther period and for this purpose have named as their respective plenipotentiaries:

The President of the United States, Walter Q. Gresham, Secretary of State of the United States, and

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Excellency Sir Julian Pauncefote, G. C. B., G. C. M. G., Ambassador Extraordinary and Plenipotentiary of Great Britain;

Who, after having communicated to each other their respective full powers which were found to be in due and proper form, have agreed upon the following articles:

#### ARTICLE I.

The third paragraph of Article I of the Convention of July 22, 1892, states that the respective Commissions shall complete the survey and submit their final reports thereof within two years from the date of their first meeting. The Joint Commissioners held their first meeting November 28, 1892; hence the time allowed by that Convention expires November 28, 1894. Believing it impossible to complete the required work within the specified period, the two Governments hereby mutually agree to extend the time to December 31, 1895.

#### ARTICLE II.

The present Convention shall be duly ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by Her Britannic Majesty; and the ratifications shall be exchanged at Washington at the earliest practicable date.

In faith whereof we, the respective Plenipotentiaries, have signed this Convention and have hereunto affixed our seals.

Done in duplicate at Washington, the 3d day of February, one thousand eight hundred and ninety-four.

[SEAL]  
[SEAL]

W. Q. GRESHAM.  
JULIAN PAUNCEFOTE.

And whereas the said Supplemental Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Washington on the 28th day of March, one thousand eight hundred and ninety-four:

Now, therefore, be it known that I, Grover Cleveland, President of the United States of America, have caused the said Supplemental Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this twenty-eighth day of March, in the year of our Lord, one thousand eight hundred and  
[SEAL.] ninety-four, and of the Independence of the United States the one hundred and eighteenth.

GROVER CLEVELAND

By the President:

WALTER Q. GRESHAM  
*Secretary of State.*



## GREECE—JOINT STOCK COMPANIES AND OTHER ASSOCIATIONS.

Protocol explanatory of the scope and effect of Article 1 of the Treaty between the United States of America and Greece of December 10-22, 1837.

*Protocol of a conference held at Athens on the <sup>30th.</sup>/<sub>10th.</sub> day of <sup>January</sup>/<sub>February</sub> 1890 between the Honorable A. Loudon Snowden, Minister Resident of the United States of America and His Excellency Stephen Dragoumis, Minister for Foreign Affairs of His Majesty the King of the Hellenes.*

In view of the desire of the Government of the United States and of that of His Hellenic Majesty to effect a reciprocal understanding in regard to the rights and remedies of associations organized under the laws of one of the countries, in the territories of the other the Minister of the United States declares that joint stock companies and other associations commercial, industrial and financial constituted in conformity with the laws in force in Greece may exercise in the United States, the rights and privileges of subjects of Greece, under Article I of the Treaty of Commerce and navigation, between the Government of the United States and that of His Hellenic Majesty, concluded in London on the 10th.-22nd. of December 1837, including the right of appearing before tribunals for the purpose of bringing an action or of defending themselves with the sole condition that in exercising these rights they always conform to the laws and customs existing in the United States and the several States.

The Hellenic Minister for Foreign Affairs declares on his part reciprocally, that similar rights and privileges shall be enjoyed by corporations of the United States in Greece, whether now or heretofore organized, or to be created in the future, provided they likewise conform to the laws and customs of Greece.

In testimony of which we have interchangeably signed this Protocol at Athens on the <sup>30th</sup>/<sub>10th</sub> of <sup>January</sup>/<sub>February</sub>, 1890.

A. LOUDON SNOWDEN [SEAL]  
E. DRAGOUMIS [SEAL]

[Appendix]

### *Article I of the Treaty of 1837.*

The Citizens and Subjects of each of the two High Contracting Parties, may, with all security for their persons, vessels and cargoes, freely enter the ports, places and rivers of the Territories of the other, wherever foreign commerce is permitted. They shall be at liberty to sojourn and reside in all parts whatsoever of said territories; to rent and occupy houses and warehouses for their commerce, and they shall enjoy generally, the most entire security and protection in their mercantile transactions, on conditions of their submitting to the Laws and Ordinances of the respective Countries.



# JAPAN—COMMERCE AND NAVIGATION, AND PROTOCOL.

---

## T R E A T Y

BETWEEN

## THE UNITED STATES OF AMERICA AND THE EMPIRE OF JAPAN.

---

COMMERCE AND NAVIGATION.

---

*Concluded at Washington, November 22, 1894.  
Ratification advised by the Senate February 5, 1895.  
Ratified by the President February 15, 1895.  
Ratified by the Emperor February 27, 1895.  
Ratifications exchanged at Washington March 21, 1895.  
Proclaimed March 21, 1895.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Whereas, a Treaty of Commerce and Navigation between the United States of America and the Empire of Japan was concluded and signed by their respective Plenipotentiaries at the city of Washington on the 22d day of November 1894, which treaty, being amended by the Senate of the United States, and being in the English language, is word for word as follows:—

The President of the United States of America and His Majesty the Emperor of Japan, being equally desirous of maintaining the relations of good understanding which happily exist between them, by extending and increasing the intercourse between their respective States, and being convinced that this object cannot better be accomplished than by revising the Treaties hitherto existing between the two countries, have resolved to complete such a revision, based upon principles of equity and mutual benefit, and, for that purpose, have named as their Plenipotentiaries, that is to say:

The President of the United States of America, Walter Q. Gresham, Secretary of State of the United States, and His Majesty the Emperor of Japan, Jushii Shinichiro Kurino, of the Order of the Sacred Treasure, and of the Fourth Class; who, after having communicated to each other

their full powers, found to be in good and due form, have agreed upon and concluded the following Articles:—

### ARTICLE I.

The citizens or subjects of each of the two High Contracting Parties shall have full liberty to enter, travel, or reside in any part of the territories of the other Contracting Party, and shall enjoy full and perfect protection for their persons and property.

They shall have free access to the Courts of Justice in pursuit and defence of their rights; they shall be at liberty equally with native citizens or subjects to choose and employ lawyers, advocates and representatives to pursue and defend their rights before such Courts, and in all other matters connected with the administration of justice they shall enjoy all the rights and privileges enjoyed by native citizens or subjects.

In whatever relates to rights of residence and travel; to the possession of goods and effects of any kind; to the succession to personal estate, by will or otherwise, and the disposal of property of any sort and in any manner whatsoever which they may lawfully acquire, the citizens or subjects of each Contracting Party shall enjoy in the territories of the other the same privileges, liberties, and rights, and shall be subject to no higher imposts or charges in these respects than native citizens or subjects, or citizens or subjects of the most favored nation. The citizens or subjects of each of the Contracting Parties shall enjoy in the territories of the other entire liberty of conscience, and, subject to the laws, ordinances, and regulations, shall enjoy the right of private or public exercise of their worship, and also the right of burying their respective countrymen, according to their religious customs, in such suitable and convenient places as may be established and maintained for that purpose.

They shall not be compelled, under any pretext whatsoever, to pay any charges or taxes other or higher than those that are, or may be paid by native citizens or subjects, or citizens or subjects of the most favored nation.

The citizens or subjects of either of the Contracting Parties residing in the territories of the other shall be exempted from all compulsory military service whatsoever, whether in the army, navy, national guard, or militia; from all contributions imposed in lieu of personal service; and from all forced loans or military exactions or contributions.

### ARTICLE II.

There shall be reciprocal freedom of commerce and navigation between the territories of the two High Contracting Parties.

The citizens or subjects of each of the High Contracting Parties may trade in any part of the territories of the other by wholesale or retail in all kinds of produce, manufactures, and merchandize of lawful commerce, either in person or by agents, singly or in partnership with foreigners or native citizens or subjects; and they may there own or hire and occupy houses, manufactories, warehouses, shops and premises which may be necessary for them, and lease land for residential and commercial purposes, conforming themselves to the laws, police and customs regulations of the country like native citizens or subjects.

They shall have liberty freely to come with their ships and cargoes to all places, ports, and rivers in the territories of the other, which are

or may be opened to foreign commerce, and shall enjoy, respectively, the same treatment in matters of commerce and navigation as native citizens or subjects, or citizens or subjects of the most favored nation, without having to pay taxes, imposts or duties, of whatever nature or under whatever denomination levied in the name or for the profit of the Government, public functionaries, private individuals, corporations, or establishments of any kind, other or greater than those paid by native citizens or subjects, or citizens or subjects of the most favored nation.

It is, however, understood that the stipulations contained in this and the preceding Article do not in any way affect the laws, ordinances and regulations with regard to trade, the immigration of laborers, police and public security which are in force or which may hereafter be enacted in either of the two countries.

### ARTICLE III.

The dwellings, manufactories, warehouses, and shops of the citizens or subjects of each of the High Contracting Parties in the territories of the other, and all premises appertaining thereto destined for purposes of residence or commerce, shall be respected.

It shall not be allowable to proceed to make a search of, or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers, or accounts, except under the conditions and with the forms prescribed by the laws, ordinances and regulations for citizens or subjects of the country.

### ARTICLE IV.

No other or higher duties shall be imposed on the importation into the territories of the United States of any article, the produce or manufacture of the territories of His Majesty the Emperor of Japan, from whatever place arriving; and no other or higher duties shall be imposed on the importation into the territories of His Majesty the Emperor of Japan of any article, the produce or manufacture of the territories of the United States, from whatever place arriving, than on the like article produced or manufactured in any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article, the produce or manufacture of the territories of either of the High Contracting Parties, into the territories of the other, from whatever place arriving, which shall not equally extend to the importation of the like article, being the produce or manufacture of any other country. This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons, or of cattle, or of plants useful to agriculture.

### ARTICLE V.

No other or higher duties or charges shall be imposed in the territories of either of the High Contracting Parties on the exportation of any article to the territories of the other than such as are, or may be, payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the territories of either of the two High Contracting Parties to the territories of the other which shall not equally extend to the exportation of the like article to any other country.

## ARTICLE VI.

The citizens or subjects of each of the High Contracting Parties shall enjoy in the territories of the other exemption from all transit duties, and a perfect equality of treatment with native citizens or subjects in all that relates to warehousing, bounties, facilities, and drawbacks.

## ARTICLE VII.

All articles which are or may be legally imported into the ports of the territories of His Majesty the Emperor of Japan in Japanese vessels may likewise be imported into those ports in vessels of the United States, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Japanese vessels; and, reciprocally, all articles which are or may be legally imported into the ports of the territories of the United States in vessels of the United States may likewise be imported into those ports in Japanese vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in vessels of the United States. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other place.

In the same manner, there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid, and the same bounties and drawbacks allowed, in the territories of either of the High Contracting Parties on the exportation of any article which is or may be legally exported therefrom, whether such exportation shall take place in Japanese vessels or in vessels of the United States, and whatever may be the place of destination, whether a port of either of the High Contracting Parties or of any third Power.

## ARTICLE VIII.

No duties of tonnage, harbor, pilotage, lighthouse, quarantine, or other similar or corresponding duties of whatever nature, or under whatever denomination levied in the name or for the profit of Government, public functionaries, private individuals, corporations, or establishments of any kind, shall be imposed in the ports of the territories of either country upon the vessels of the other country which shall not equally and under the same conditions be imposed in the like cases on national vessels in general or vessels of the most favored nation. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination.

## ARTICLE IX.

In all that regards the stationing, loading, and unloading of vessels in the ports, basins, docks, roadsteads, harbors or rivers of the territories of the two countries, no privilege shall be granted to national vessels which shall not be equally granted to vessels of the other country; the intention of the High Contracting Parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality.

## ARTICLE X.

The coasting trade of both the High Contracting Parties is excepted from the provisions of the present Treaty, and shall be regulated according to the laws, ordinances and regulations of the United States and Japan, respectively. It is, however, understood that citizens of the United States in the territories of His Majesty the Emperor of Japan and Japanese subjects in the territories of the United States, shall enjoy in this respect the rights which are, or may be, granted under such laws, ordinances and regulations to the citizens or subjects of any other country.

A vessel of the United States laden in a foreign country with cargo destined for two or more ports in the territories of His Majesty the Emperor of Japan, and a Japanese vessel laden in a foreign country with cargo destined for two or more ports in the territories of the United States, may discharge a portion of her cargo at one port, and continue her voyage to the other port or ports of destination where foreign trade is permitted, for the purpose of landing the remainder of her original cargo there, subject always to the laws and customs regulations of the two countries.

The Japanese Government, however, agrees to allow vessels of the United States to continue, as heretofore, for the period of the duration of the present Treaty, to carry cargo between the existing open ports of the Empire, excepting to or from the ports of Osaka, Niigata, and Ebisuminato.

## ARTICLE XI.

Any ship-of-war or merchant vessel of either of the High Contracting Parties which may be compelled by stress of weather, or by reason of any other distress, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies, and to put to sea again, without paying any dues other than such as would be payable by national vessels. In case, however, the master of a merchant vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any ship-of-war or merchant-vessel of one of the High Contracting Parties should run aground or be wrecked upon the coasts of the other, the local authorities shall inform the Consul General, Consul, Vice-Consul, or Consular Agent of the district, of the occurrence, or if there be no such consular officers, they shall inform the Consul General, Consul, Vice-Consul, or Consular Agent of the nearest district.

All proceedings relative to the salvage of Japanese vessels, wrecked or cast on shore in the territorial waters of the United States, shall take place in accordance with the laws of the United States, and, reciprocally, all measures of salvage relative to vessels of the United States, wrecked or cast on shore in the territorial waters of His Majesty the Emperor of Japan, shall take place in accordance with the laws, ordinances, and regulations of Japan.

Such stranded or wrecked ship or vessel, and all parts thereof, and all furnitures and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents, when claimed by them. If such

owners or agents are not on the spot, the same shall be delivered to the respective Consuls General, Consuls, Vice-Consuls, or Consular Agents upon being claimed by them within the period fixed by the laws, ordinances and regulations of the country, and such Consular officers, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of the wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all the duties of the Customs unless cleared for consumption, in which case they shall pay the ordinary duties.

When a vessel belonging to the citizens or subjects of one of the High Contracting Parties is stranded or wrecked in the territories of the other, the respective Consuls General, Consuls, Vice-Consuls, and Consular Agents shall be authorized, in case the owner or master, or other agent of the owner, is not present, to lend their official assistance in order to afford the necessary assistance to the citizens or subjects of the respective States. The same rule shall apply in case the owner, master, or other agent is present, but requires such assistance to be given.

#### ARTICLE XII.

All vessels which, according to United States law, are to be deemed vessels of the United States, and all vessels which, according to Japanese law, are to be deemed Japanese vessels, shall, for the purposes of this Treaty, be deemed vessels of the United States and Japanese vessels, respectively.

#### ARTICLE XIII.

The Consuls General, Consuls, Vice-Consuls, and Consular Agents of each of the High Contracting Parties, residing in the territories of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

It is understood that this stipulation shall not apply to the citizens or subjects of the country where the desertion takes place.

#### ARTICLE XIV.

The High Contracting Parties agree that, in all that concerns commerce and navigation, any privilege, favor or immunity which either High Contracting Party has actually granted, or may hereafter grant, to the Government, ships, citizens or subjects of any other State, shall be extended to the Government, ships, citizens, or subjects of the other High Contracting Party, gratuitously, if the concession in favor of that other State shall have been gratuitous, and on the same or equivalent conditions if the concession shall have been conditional; it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other upon the footing of the most favored nation.

#### ARTICLE XV.

Each of the High Contracting Parties may appoint Consuls General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents, in all the ports, cities, and places of the other, except in those where it may not be convenient to recognize such officers.



This exception, however, shall not be made in regard to one of the High Contracting Parties without being made likewise in regard to every other Power.

The Consuls General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents may exercise all functions, and shall enjoy all privileges, exemptions, and immunities which are, or may hereafter be, granted to Consular officers of the most favored nation.

#### ARTICLE XVI.

The citizens or subjects of each of the High Contracting Parties shall enjoy in the territories of the other the same protection as native citizens or subjects in regard to patents, trade-marks and designs, upon fulfilment of the formalities prescribed by law.

#### ARTICLE XVII.

The High Contracting Parties agree to the following arrangement:—

The several Foreign Settlements in Japan shall, from the date this Treaty comes into force, be incorporated with the respective Japanese Communes, and shall thenceforth form part of the general municipal system of Japan. The competent Japanese Authorities shall thereupon assume all municipal obligations and duties in respect thereof, and the common funds and property, if any, belonging to such Settlements shall at the same time be transferred to the said Japanese Authorities.

When such incorporation takes place existing leases in perpetuity upon which property is now held in the said Settlements shall be confirmed, and no conditions whatsoever other than those contained in such existing leases shall be imposed in respect of such property. It is, however, understood that the Consular Authorities mentioned in the same are in all cases to be replaced by the Japanese Authorities. All lands which may previously have been granted by the Japanese Government free of rent for the public purposes of the said Settlements shall, subject to the right of eminent domain, be permanently reserved free of all taxes and charges for the public purposes for which they were originally set apart.

#### ARTICLE XVIII.

This Treaty shall, from the date it comes into force, be substituted in place of the Treaty of Peace and Amity concluded on the 3d day of the 3d month of the 7th year of Kayei, corresponding to the 31st day of March, 1854; the Treaty of Amity and Commerce concluded on the 19th day of the 6th month of the 5th year of Ansei, corresponding to the 29th day of July, 1858; the Tariff Convention concluded on the 13th day of the 5th month of the 2nd year of Keio, corresponding to the 25th day of June, 1866; the Convention concluded on the 25th day of the 7th month of the 11th year of Meiji, corresponding to the 25th day of July, 1878, and all Arrangements and Agreements subsidiary thereto concluded or existing between the High Contracting Parties; and from the same date such Treaties, Conventions, Arrangements and Agreements shall cease to be binding, and, in consequence, the jurisdiction then exercised by Courts of the United States in Japan and all the exceptional privileges, exemptions and immunities then enjoyed by citizens of the United States as a part of, or appurtenant to such juris-

diction, shall absolutely and without notice cease and determine, and thereafter all such jurisdiction shall be assumed and exercised by Japanese Courts.

#### ARTICLE XIX.

This Treaty shall go into operation on the 17th day of July, 1899, and shall remain in force for the period of twelve years from that date.

Either High Contracting Party shall have the right, at any time thereafter to give notice to the other of its intention to terminate the same, and at the expiration of twelve months after such notice is given this Treaty shall wholly cease and determine.

#### ARTICLE XX.

This Treaty shall be ratified, and the ratifications thereof shall be exchanged, either at Washington or Tokio, as soon as possible and not later than six months after its signature.

In witness whereof the respective Plenipotentiaries have signed the present Treaty in duplicate and have thereunto affixed their seals.

Done at the City of Washington the 22d day of November, in the eighteen hundred and ninety-fourth year of the Christian era, corresponding to the 22d day of the 11th month of the 27th year of Meiji.

WALTER Q. GRESHAM [SEAL]  
SHINICHIRO KURINO. [SEAL]

And whereas the said Treaty has been duly ratified, as amended, on both parts and the ratifications of the two Governments were exchanged in the city of Washington on the twenty-first day of March, one thousand eight hundred and ninety-five;

Now, therefore, be it known that I, Grover Cleveland, President of the United States of America, have caused the said Treaty, as amended, to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof

In witness whereof, I have set my hand and caused the seal of the United States of America to be affixed.

Done at the city of Washington this twenty-first day of March, in the year of our Lord one thousand eight hundred and ninety-five, [SEAL] and of the Independence of the United States of America the one hundred and nineteenth.

GROVER CLEVELAND

By the President:

W. Q. GRESHAM

*Secretary of State.*

# JAPAN-PROTOCOL.

---

## PROTOCOL

BETWEEN

## THE UNITED STATES OF AMERICA AND THE EMPIRE OF JAPAN

TO REGULATE

CERTAIN SPECIAL MATTERS OF MUTUAL CONCERN, APART FROM THE  
TREATY OF COMMERCE AND NAVIGATION OF NOVEMBER 22, 1894,  
BETWEEN THE TWO GOVERNMENTS.

---

*Concluded at Washington November 22, 1894.  
Proclaimed March 21, 1895.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Whereas, a Protocol between the United States of America and the Empire of Japan to regulate certain special matters of mutual concern, apart from the Treaty of Commerce and Navigation of November 22, 1894, between the same High Contracting Parties, was concluded and signed by their respective Plenipotentiaries, on the 22d day of November, 1894, which Protocol, being in the English language, is word for word as follows:

### PROTOCOL.

The Government of the United States of America and the Government of His Majesty the Emperor of Japan, deeming it advisable in the interests of both countries to regulate certain special matters of mutual concern, apart from the Treaty of Commerce and Navigation signed this day, have, through their respective Plenipotentiaries, agreed upon the following stipulations:—

I. It is agreed by the Contracting Parties that one month after the exchange of the ratifications of the Treaty of Commerce and Navigation signed this day the Import Tariff now in operation in Japan in respect of goods and merchandise imported into Japan by citizens of the United States shall cease to be binding. From the same date the General Statutory Tariff of Japan shall, subject to the provisions of Article IX of the Treaty of March 31, 1854, at present subsisting between the Contracting Parties, so long as said Treaty remains in

force, and, thereafter, subject to the provisions of Article IV and Article XIV of the Treaty signed this day, be applicable to goods and merchandise being the growth, produce or manufacture of the Territories of the United States upon importation into Japan.

But nothing contained in this Protocol shall be held to limit or qualify the right of the Japanese Government to restrict or to prohibit the importation of adulterated drugs, medicines, food or beverages; indecent or obscene prints, paintings, books, cards, lithographic or other engravings, photographs or any other indecent or obscene articles; articles in violation of the patent, trade-mark or copy-right laws of Japan; or any other article which for sanitary reasons, or in view of public security or morals, might offer any danger.

2. The Japanese Government, pending the opening of the country to citizens of the United States, agrees to extend the existing passport system in such a manner as to allow citizens of the United States, on the production of a certificate of recommendation from the Representative of the United States at Tokio, or from any of the Consuls of the United States at the open ports of Japan, to obtain upon application passports available for any part of the country and for any period not exceeding twelve months, from the Imperial Japanese Foreign Office in Tokio, or from the Chief Authorities in the Prefecture in which an open port is situated, it being understood that the existing Rules and Regulations governing citizens of the United States who visit the interior of the Empire are to be maintained.

3. The undersigned Plenipotentiaries have agreed that this Protocol shall be submitted to the two High Contracting Parties at the same time as the Treaty of Commerce and Navigation signed this day, and that when the said Treaty is ratified the agreements contained in the Protocol shall also equally be considered as approved, without the necessity of a further formal ratification.

It is agreed that this Protocol shall terminate at the same time the said Treaty ceases to be binding.

In witness whereof the respective Plenipotentiaries have signed the same and have affixed thereto their seals.

Done at Washington the 22d day of November in the eighteen hundred and ninety-fourth year of the Christian era, corresponding to the 22d day of the 11th month of the 27th year of Meiji.

WALTER Q. GRESHAM [SEAL]  
SHINICHIRO KURINO [SEAL]

And whereas, it was stipulated in the said Protocol that it should be submitted to the two High Contracting Parties at the same time as the said Treaty of Commerce and Navigation, and that when the said Treaty should be ratified, the agreements contained in the Protocol, should also equally be considered as approved, without the necessity of a further formal ratification;

And, whereas, the said Treaty of Commerce and Navigation, as amended, has been duly ratified on both parts, and the ratifications thereof were exchanged at the City of Washington on the 21st day of March 1895;

Now, therefore, be it known that I, Grover Cleveland, President of the United States of America, have caused the said Protocol to be made public, to the end that the same and every article and clause thereof

may be observed and fulfilled with good faith by the United States of America and the citizens thereof

In witness whereof I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done in the City of Washington this twenty-first day March, in the year of our Lord one thousand eight hundred and ninety-five,  
 [SEAL] and of the Independence of the United States of America the one hundred and nineteenth.

GROVER CLEVELAND

By the President:

WALTER Q. GRESHAM

*Secretary of State.*

○













## CONVENTION

BETWEEN

### THE UNITED STATES OF AMERICA AND THE UNITED STATES OF MEXICO,

TO REVIVE THE PROVISIONS OF THE CONVENTION OF JULY 29, 1882, TO SURVEY AND RELOCATE THE BOUNDARY LINE WEST OF THE RIO GRANDE, AND TO EXTEND THE TIME FIXED IN ARTICLE VIII OF THE SAID CONVENTION.

---

*Concluded at Washington February 18, 1889.*

*Ratification advised by the Senate March 26, 1889.*

*Ratified by the President of the United States of America April 30, 1889.*

*Ratified by the President of the United States of Mexico August 4, 1889.*

*Ratifications exchanged at Washington October 12, 1889.*

*Proclaimed October 14, 1889.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

#### A PROCLAMATION.

Whereas a Convention between the United States of America and the United States of Mexico, to revive the provisions of the Convention of July 29, 1882, to survey and relocate the existing boundary line between the two countries west of the Rio Grande and to extend the time fixed in Article VIII of the said Convention for the completion of the work in question, was signed by their respective Plenipotentiaries at the City of Washington on the eighteenth day of February, one thousand, eight hundred and eighty-nine, the original of which Convention, being in the English and Spanish languages, is word for word as follows:

Convention between the United States of America and the United States of Mexico, to revive the provisions of the Convention of July 29,

Convencion entre los Estados Unidos de América y los Estados Unidos Mexicanos, para renovar las estipulaciones de la Convencion de

1882, to survey and relocate the existing boundary line between the two countries west of the Rio Grande, and to extend the time fixed in Article VIII of the said Convention for the completion of the work in question.

Whereas the provisions of the Convention between the United States of America and the United States of Mexico, signed at Washington on the twenty-ninth of July, one thousand eight hundred and eighty-two, to survey and relocate the existing boundary between the two countries west of the Rio Grande, so far as they relate to Article VIII of said Convention, have not been carried out through delays in the appointment of the Commission to undertake the work;

And whereas, by the Additional Article to the said Convention, signed at Washington, the fifth of December, one thousand eight hundred and eighty-five, the time fixed in Article VIII of the said Convention of July 29, 1882, was extended for a period of eighteen months from the expiration of the term stipulated in said Article VIII;

And whereas, the said additional period of time, as so extended, has expired without the appointment of the Commission in question, and the said Convention has accordingly ceased to be in force pursuant to the provisions of Article VIII thereof;

And whereas, it is the wish and understanding of the United States and Mexico that the provisions of the said Convention of July 29, 1882,

29 de Julio de 1882, que tiene por objeto reconocer y demarcar de nuevo la línea divisoria entre los dos países, al poniente del Rio Bravo del Norte, y para prorogar al plazo fijado por el Artículo VIII de dicha Convencion para la conclusion de dichos trabajos.

Por cuanto las prevenciones de la Convencion entre los Estados Unidos de América y los Estados Unidos Mexicanos, firmada en Washington el 29 de Julio de 1882, para reconocer y demarcar de nuevo la línea divisoria existente entre los dos países, al poniente del Rio Bravo del Norte, en cuanto se refieren al artículo VIII de dicha Convencion, no se han llevado á cabo, por causa de dilaciones ocurridas en el nombramiento de la Comision que deberá ejecutar los trabajos;

Y por cuanto, por el Artículo adicional á la expresada Convencion, que fué firmado en Washington el cinco de Diciembre de mil ochocientos ochenta y cinco, el plazo fijado en el Artículo VIII de dicha Convencion de 29 de Julio de 1882, se extendió por un período de diez y ocho meses contados desde la expiracion del término estipulado en el expresado Artículo VIII;

Y por cuanto el referido período adicional, así prorogado, ha expirado sin que la Comision de que se trata hubiese sido nombrada, y la expresada Convencion ha cesado, por lo mismo, de estar en vigor, conforme á las prevenciones del Artículo VIII de la misma;

Y por cuanto los Estados Unidos de América y los Estados Unidos Mexicanos desean y estipulan que las prevenciones de dicha Conven-

shall be revived and continued in force and effect until the completion of the work for which it was originally negotiated, they have appointed for this purpose, their respective Plenipotentiaries, to wit:

The President of the United States of America, Thomas F. Bayard, Secretary of State of the United States of America, and

The President of the United States of Mexico, Matías Romero, Envoy Extraordinary and Minister Plenipotentiary of the United States of Mexico in Washington,

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following articles:

#### ARTICLE I.

In view of the fact that the original Convention of July 29, 1882, between the United States and Mexico, providing for the resurvey of their boundary line, has lapsed by reason of the failure of the two governments to provide for its further extension before the 3d day of January, 1889, as contemplated by the Additional Article to that Convention, of December 5, 1885, it is hereby mutually agreed and expressly understood by and between the contracting parties hereto, that the said Convention of July 29, 1882, and every article and clause thereof, are hereby revived and renewed as they stood prior to January 3, 1889.

cion de 29 de Julio de 1882, deben hacerse revivir y continuar vigentes hasta la conclusion de los trabajos, para cuya ejecucion fué originalmente negociada; han nombrado con este objeto sus respectivos Plenipotenciarios, á saber:

El Presidente de los Estados Unidos de América á Thomas F. Bayard, Secretario de Estado de los Estados Unidos de América, y

El Presidente de los Estados Unidos Mexicanos á Matías Romero, Enviado Extraordinario y Ministro Plenipotenciario de los Estados Unidos Mexicanos en Washington,

Quienes, despues de haberse canjeado sus respectivos plenos poderes y de encontrarlos en buena y debida forma, han acordado y concluido los siguientes artículos:

#### ARTÍCULO I.

En vista del hecho de que la Convencion primitiva de 29 de Julio de 1882, entre los Estados Unidos de América y los Estados Unidos Mexicanos, que dispuso el nuevo reconocimiento de su línea divisoria ha terminado por razon de que los dos gobiernos dejaron de proveer á su prórroga ulterior, antes del 3 de Enero de 1889, segun se estipuló en el artículo adicional á la misma Convencion, que fué firmado el 5 de Diciembre de 1885, se conviene por la presente, y se entenderá así expresamente por las dos partes contratantes, en que la expresada Convencion de 29 de Julio de 1882, y todos los artículos y cláusulas de la misma, se hacen revivir y se renuevan tales como estaban antes del día 3 de Enero de 1889.

## ARTICLE II.

The time fixed in Article VIII of the Convention concluded at Washington, July 29, 1882, between the United States of America and the United States of Mexico, to establish an international boundary commission for the purpose of resurveying and relocating the existing boundary line between the two countries west of the Rio Grande, as provided for in said Convention, and which was extended for eighteen months from the expiration of the term fixed in Article VIII of the said Convention of July 29, 1882, is hereby further extended for a period of five years from the date of the exchange of ratifications hereof.

This Convention shall be ratified by the contracting parties in conformity with their respective constitutions and its ratifications shall be exchanged at Washington as soon as possible.

In faith whereof, we, the undersigned, in virtue of our respective full powers, have signed the present Convention, in duplicate, and have thereunto affixed our respective seals.

Done at the City of Washington, the 18th day of February, in the year of our Lord one thousand eight hundred and eighty-nine.

T. F. BAVARD. [SEAL.]

M. ROMERO. [SEAL.]

## ARTÍCULO II.

El plazo fijado en el Artículo VIII de la Convencion concluida en Washington el 29 de Julio de 1882, entre los Estados Unidos de América y los Estados Unidos Mexicanos, para establecer una Comision Internacional de limites que de nuevo reconozca y demarque la línea divisoria existente entre los dos países al poniente del Rio Bravo del Norte, segun se estipuló en dicha Convencion, cuyo plazo se extendió por diez y ocho meses, contados desde la expiracion del término fijado en el artículo VIII de la expresada Convención de 29 de Julio de 1882, se prorroga de nuevo, por la presente, por un período de cinco años contados desde la fecha del cange de ratificaciones de la misma.

Esta Convencion será ratificada por los partes contratantes de conformidad con sus respectivas Constituciones, y las ratificaciones serán cangeadas en Washington tan pronto como fuere posible.

En testimonio de lo cual, los infrascritos en virtud de nuestros respectivos plenos poderes, hemos firmado la presente Convencion, por duplicado, y le hemos fijado nuestros respectivos sellos.

Hecho en la ciudad de Washington el 18 de Febrero del año del Señor de mil ochocientos ochenta y nueve.

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the City of Washington, on the twelfth day of October, one thousand eight hundred and eighty-nine,

Now, therefore, be it known that I, BENJAMIN HARRISON, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington, this 14th day of October,  
in the year of our Lord, one thousand eight  
hundred and eighty-nine, and of the Inde-  
pendence of the United States the one  
hundred and fourteenth.

[SEAL.]

BENJ. HARRISON.

By the President:

JAMES G. BLAINE

*Secretary of State.*









## CONVENTION

BETWEEN

THE UNITED STATES OF AMERICA AND THE UNITED  
STATES OF MEXICO,

---

TO FACILITATE THE CARRYING OUT OF THE PRINCIPLES  
CONTAINED IN THE TREATY OF NOVEMBER 12, 1884, AND  
TO AVOID THE DIFFICULTIES OCCASIONED BY REASON OF  
THE CHANGES WHICH TAKE PLACE IN THE BEDS OF THE  
RIO GRANDE AND COLORADO RIVERS.

---

*Signed at Washington March 1, 1889.*

*Ratification advised May 7, 1890.*

*Ratified by the President of Mexico October 31, 1889.*

*Ratified by the President of the United States December 6, 1890.*

*Ratifications exchanged December 24, 1890.*

*Proclaimed December 26, 1890.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Whereas a Convention between the United States of America and the United States of Mexico to facilitate the carrying out of the principles contained in the treaty of November 12, 1884, between the same High Contracting Parties and to avoid the difficulties occasioned by reason of the changes which take place in the bed of the Rio Grande and that of the Colorado River, in that portion thereof where they serve as a boundary between the two Republics, was concluded and signed by the respective Plenipotentiaries of the aforesaid High Contracting Parties at the city of Washington, on the first day of March, one thousand eight hundred and eighty-nine, the original of which Convention, being

in the English and Spanish languages, and as amended by the Senate of the United States is word for word as follows :

The United States of America and the United States of Mexico, desiring to facilitate the carrying out of the principles contained in the treaty of November 12, 1884, and to avoid the difficulties occasioned by reason of the changes which take place in the bed of the Rio Grande and that of the Colorado river, in that portion thereof where they serve as a boundary between the two Republics, have resolved to conclude a treaty for the attainment of these objects, and have appointed as their respective Plenipotentiaries :

The President of the United States of America, Thomas F. Bayard, Secretary of State of the United States of America ; and

The President of the United States of Mexico, Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the United States of Mexico, at Washington ;

Who, after having exhibited their respective full powers, and having found the same to be in good and due form, have agreed upon the following articles :

#### ARTICLE I.

All differences or questions that may arise on that portion of the frontier between the United States of America and the United States of Mexico where the Rio Grande and the Colorado rivers form the boundary line, whether such differences or questions grow out of alterations or changes in the bed of the aforesaid Rio Grande and that of the aforesaid Colorado River, or of works that

Los Estados Unidos de América y los Estados Unidos Mexicanos, deseando facilitar la ejecucion de los principios contenidos en el tratado de doce de Noviembre de mil ochocientos ochenta y cuatro, y evitar las dificultades ocasionadas con motivo de los cambios que tienen lugar en el cauce de los rios Bravo del Norte y Colorado, en la parte que sirven de limite entre las dos Repúblicas, han resuelto concluir un tratado que satisfaga estos objetos, y han nombrado sus respectivos Plenipotenciarios :

El Presidente de los Estados Unidos de América, á Thomas F. Bayard, Secretario de Estado de los Estados Unidos de América ; y

El Presidente de los Estados Unidos Mexicanos, á Matías Romero, Enviado Extraordinario y Ministro Plenipotenciario de los Estados Unidos Mexicanos, en Washington ;

Quienes, despues de haberse mostrado sus respectivos plenos-poderes, y encontrádoslos en buena y debida forma, han convenido en los artículos siguientes :

#### ARTÍCULO I.

Todas las diferencias ó cuestiones que se susciten en la parte de la frontera entre los Estados Unidos de América y los Estados Unidos Mexicanos, en que sirven de línea divisoria los rios Bravo del Norte y Colorado, ya sea que provengan de alteraciones ó cambios en el lecho de los expresados rios Bravo del Norte y Colorado, ya de obras que se construyan en los mismos ; ó ya de cual-

may be constructed in said rivers, or of any other cause affecting the boundary line, shall be submitted for examination and decision to an International Boundary Commission, which shall have exclusive jurisdiction in the case of said differences or questions.

#### ARTICLE II.

The International Boundary Commission shall be composed of a Commissioner appointed by the President of the United States of America, and of another appointed by the President of the United States of Mexico, in accordance with the constitutional provisions of each country, of a Consulting Engineer, appointed in the same manner by each Government, and of such Secretaries and Interpreters as either Government may see fit to add to its Commission. Each Government separately shall fix the salaries and emoluments of the members of its Commission.

#### ARTICLE III.

The International Boundary Commission shall not transact any business unless both Commissioners are present. It shall sit on the frontier of the two contracting countries, and shall establish itself at such places as it may determine upon; it shall, however, repair to places at which any of the difficulties or questions mentioned in this convention may arise, as soon as it shall have been duly notified thereof.

#### ARTICLE IV.

When, owing to natural causes, any change shall take place in the bed of the Rio Grande or in that of

quiera otro motivo que afecte á la línea fronteriza, se someterán al examen y decision de una Comision Internacional de Límites, la cual tendrá jurisdiccion exclusiva sobre dichas diferencias ó cuestiones.

#### ARTÍCULO II.

La Comision Internacional de Límites se compondrá de un Comisionado nombrado por el Presidente de los Estados Unidos de América y otro nombrado por el Presidente de los Estados Unidos Mexicanos, conforme á las prescripciones constitucionales de cada país; de un Ingeniero Consultor, nombrado en la misma forma por cada Gobierno, y de los Secretarios é Intérpretes que cada Gobierno crea conveniente agregar á su respectiva Comision. Cada Gobierno fijará separadamente los sueldos y emolumentos de los miembros de su Comision.

#### ARTÍCULO III.

La Comision Internacional de Límites no podrá funcionar sino cuando estuvieren presentes los dos Comisionados. Residirá precisamente en la frontera de los dos países contratantes y se establecerá en los lugares que ella determinare; pero se trasladará sin dilacion á los lugares en que ocurra cualquiera de las dificultades ó cuestiones mencionadas en la presente convencion, tan luego como se le haga la notificacion correspondiente.

#### ARTÍCULO IV.

Cuando, por causas naturales, ocurriere alguna alteración en el cauce del rio Bravo del Norte ó del

the Colorado River, in that portion thereof wherein those rivers form the boundary line between the two countries, which may affect the boundary line, notice of that fact shall be given by the proper local authorities on both sides to their respective Commissioners of the International Boundary Commission, on receiving which notice it shall be the duty of the said Commission to repair to the place where the change has taken place or the question has arisen, to make a personal examination of such change, to compare it with the bed of the river as it was before the change took place, as shown by the surveys, and to decide whether it has occurred through avulsion or erosion, for the effects of articles I and II of the convention of November 12, 1884; having done this, it shall make suitable annotations on the surveys of the boundary line.

#### ARTICLE V.

Whenever the local authorities on any point of the frontier between the United States of America and the United States of Mexico, in that portion in which the Rio Grande and the Colorado River form the boundary between the two countries, shall think that works are being constructed, in either of those rivers, such as are prohibited by article III of the convention of November 12, 1884, or by article VII of the treaty of Guadalupe Hidalgo of February 2, 1848, they shall so notify their respective Commissioners, in order that the latter may at once submit the matter to the International Boundary Commission, and that said Commission may proceed, in accordance with

rio Colorado, en la parte en que estos rios sirven de límite entre los dos países, que afecte la línea divisoria, se notificará este hecho por la autoridad local respectiva de uno ú otro lado, al Comisionado respectivo de la Comisión Internacional de Límites, la cual tendrá obligacion, al recibir ese aviso, de trasladarse al lugar del cambio ó cuestion; examinará personalmente el cambio indicado; lo comparará con el cauce que seguia el rio ántes de que este cambio tuviera lugar, segun aparezca de los planos respectivos, y decidirá si se ha verificado por avulsion ó corrosion, para los efectos de los artículos I y II de la convencion de doce de Noviembre de mil ochocientos ochenta y cuatro, haciendo las anotaciones correspondientes en los planos de la línea divisoria.

#### ARTÍCULO V.

Siempre que la autoridad local de cualquier punto de la frontera entre los Estados Unidos de América y los Estados Unidos Mexicanos, en la parte en que los rios Bravo del Norte y Colorado sirven de límite á los dos países, creyere que se están construyendo obras en cualquiera de estos rios, que sean de las prohibidas por el artículo III de la Convencion de doce de Noviembre de mil ochocientos ochenta y cuatro, ó por el artículo VII del tratado de Guadalupe Hidalgo de dos de Febrero de mil ochocientos cuarenta y ocho, lo notificará al Comisionado respectivo, para que este someta, desde luego, el punto á la Comisión Internacional de Límites, y esta proceda, conforme á las

the provisions of the foregoing article, to examine the case, and that it may decide whether the work is among the number of those which are permitted, or of those which are prohibited by the stipulations of those treaties.

The Commission may provisionally suspend the construction of the works in question pending the investigation of the matter, and if it shall fail to agree on this point, the works shall be suspended, at the instance of one of the two Governments.

#### ARTICLE VI.

In either of these cases, the Commission shall make a personal examination of the matter which occasions the change, the question or the complaint, and shall give its decision in regard to the same, in doing which it shall comply with the requirements established by a body of regulations to be prepared by the said Commission and approved by both Governments.

#### ARTICLE VII.

The International Boundary Commission shall have power to call for papers and information, and it shall be the duty of the authorities of each of the two countries to send it any papers that it may call for, relating to any boundary question in which it may have jurisdiction in pursuance of this convention.

The said Commission shall have power to summon any witnesses whose testimony it may think proper to take, and it shall be the duty of all persons thus summoned to appear before the same and to give their testimony, which shall be taken in accordance with such by-laws and reg-

prescripciones del artículo precedente, á examinar el caso, y decida si la obra es de las permitidas ó de las prohibidas por las estipulaciones de aquellos tratados.

La Comision podrá suspender, provisionalmente, la construccion de las obras en cuestion, mientras se examina el asunto, y si no se pusiere de acuerdo sobre este punto, se suspenderán las obras á peticion de uno de los dos Gobiernos.

#### ARTÍCULO VI.

En cualquiera de estos casos, la Comision hará un exámen personal del asunto que motivare el cambio, cuestion ó queja, y dará su fallo respecto del mismo; para lo cual observará los requisitos que establezca un reglamento formado por la misma Comision y aprobado por los dos Gobiernos.

#### ARTÍCULO VII.

La Comision Internacional de Límites tendrá facultad de pedir documentos é informes, y las autoridades de cada uno de los dos países tendrán el deber de enviarle cualesquiera documentos que ella les pida, referentes á cualquiera cuestion de límites en que tenga jurisdiccion conforme á esta Convencion.

La misma Comision tendrá facultad de citar á los testigos cuyas declaraciones crea conveniente tomar, y las personas citadas tendrán el deber de comparecer ante la misma y de dar sus declaraciones, las cuales se tomarán de conformidad con las leyes y reglamentos que adopte la

ulations as may be adopted by the Commission and approved by both Governments. In case of the refusal of a witness to appear, he shall be compelled to do so, and to this end the Commission may make use of the same means that are used by the courts of the respective countries to compel the attendance of witnesses, in conformity with their respective laws.

#### ARTICLE VIII.

If both Commissioners shall agree to a decision, their judgment shall be considered binding upon both Governments, unless one of them shall disapprove it within one month reckoned from the day on which it shall have been pronounced. In the latter case, both Governments shall take cognizance of the matter, and shall decide it amicably, bearing constantly in mind the stipulation of Article XXI of the treaty of Guadalupe Hidalgo of February 2, 1848.

The same shall be the case when the Commissioners shall fail to agree concerning the point which occasions the question, the complaint or the change, in which case each Commissioner shall prepare a report, in writing, which he shall lay before his Government.

#### ARTICLE IX.

This convention shall be ratified by both parties, in accordance with the provisions of their respective constitutions, and the ratifications thereof shall be exchanged at Washington as speedily as possible—and shall be in force from the date of the exchange

Comision y aprueben ambos Gobiernos. En caso de que algun testigo se rehuse á comparecer, se le obligará á ello, usando al efecto la Comision de los mismos arbitrios que tengan los tribunales del país respectivo para hacer comparecer testigos, de acuerdo con sus respectivas leyes.

#### ARTÍCULO VIII.

Si ambos Comisionados estuvieren de acuerdo en una resolucion, su fallo se considerará obligatorio para ambos Gobiernos, á no ser que alguno de ellos lo desaprobare dentro de un mes contado desde el día en que se pronuncie. En este ultimo caso, ambos Gobiernos se avocarán el conocimiento del asunto y lo decidirán amistosamente, en la forma que les pareciere justificada y conveniente, teniendo siempre presente la estipulacion del Artículo XXI del tratado de Guadalupe Hidalgo de dos de Febrero de mil ochocientos cuarenta y ocho.

Otro tanto sucederá cuando los Comisionados no se pongan de acuerdo respecto del punto que motiva la cuestión, queja ó cambio, en cuyo caso cada Comisionado formulará un dictámen por escrito que presentará á su respectivo Gobierno.

#### ARTÍCULO IX.

La presente Convencion será ratificada por ambas partes, de acuerdo con sus respectivos procedimientos constitucionales, y las ratificaciones se cangearán en Washington tan pronto como fuere posible, y permanecerá en vigor por un período de



of ratifications for a period of five years.

In testimony whereof the undersigned Plenipotentiaries have signed and sealed it.

Done in duplicate, in the city of Washington, in the English and Spanish languages, on the 1st day of March one thousand eight hundred and eighty-nine.

T. F. BAYARD [SEAL.]

M. ROMERO. [SEAL.]

cinco años contados desde la fecha del canje de ratificaciones.

En testimonio de lo cual los Plenipotenciarios infrascritos la han firmado y sellado.

Hecha por duplicado, en la ciudad de Washington, en las lenguas inglesa y española, el día primero de Marzo de mil ochocientos ochenta y nueve.

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the same were exchanged at the city of Washington on the twenty-fourth day of December, one thousand eight hundred and ninety;

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the said Convention to be made public, as amended, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 26th day of December, in the year of our Lord, one thousand eight hundred and ninety and of the Independence of  
[SEAL.] the United States of America the one hundred and fifteenth.

BENJ HARRISON

By the President:

JAMES G BLAINE

*Secretary of State.*



MEXICO: RECIPROCAL RIGHT TO PURSUE SAVAGE INDIANS ACROSS  
BOUNDARY LINE.

---

AGREEMENT

BETWEEN

JAMES G. BLAINE, SECRETARY OF STATE OF THE UNITED STATES OF AMERICA, AND MATIAS ROMERO, ENVOY EXTRAORDINARY AND MINISTER Plenipotentiary OF THE UNITED MEXICAN STATES.

---

*Signed at Washington, June 25, 1890.*

---

*Agreement entered into in behalf of their respective Governments, by James G. Blaine, Secretary of State of the United States of America, and Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the United Mexican States, providing for the reciprocal crossing of the international boundary line by the troops of their respective governments, in pursuit of savage hostile Indians, under the conditions hereinafter stated.*

ARTICLE I.

It is agreed that the regular federal troops of the two Republics may reciprocally cross the boundary line of the two countries when they are in close pursuit of a band of hostile savage Indians, upon the conditions stated in the following articles:

ARTICLE II.

It is understood for the purpose of this agreement, that no Indian scouts

*Convenio celebrado en nombre de sus respectivos Gobiernos, por James G. Blaine, Secretario de Estado de los Estados Unidos de América, y Matias Romero, Enviado Extraordinario y Ministro Plenipotenciario de los Estados Unidos Mexicanos, autorizando el paso reciproco provisional de la línea divisoria internacional, de tropas de sus respectivos Gobiernos, en persecucion de indios salvages sublevados, bajo las restricciones que en seguida se expresan.*

ARTÍCULO I.

Se conviene en que las tropas federales regulares de las dos Repúblicas pasen recíprocamente la línea divisoria entre los dos países cuando vayan persiguiendo de cerca una partida de indios salvages sublevados, con arreglo á las condiciones que se expresan en los artículos siguientes:

ARTÍCULO II.

Para los efectos de este convenio queda entendido que no se permitirá

of the Government of the United States of America shall be allowed to cross the boundary line, unless they go as guides and trailers, unarmed, and not exceeding in any case, two scouts for each Company or each separate command.

### ARTICLE III

The reciprocal crossing agreed upon in Article I, shall only occur in the unpopulated or desert parts of said boundary line. For the purpose of this agreement the unpopulated or desert parts are defined to be all those points which are at least ten kilometers distant from any encampment or town of either country.

### ARTICLE IV.

No crossing of troops of either country shall take place from Capitan Leal, a town on the Mexican side of the Rio Bravo, eighty-four kilometers (52 English miles) above Piedras Negras, to the mouth of the Rio Grande.

### ARTICLE V.

The Commander of the troops which cross the frontier in pursuit of Indians, shall, at the time of crossing, or before if possible, give notice of his march to the nearest military commander, or civil authority, of the country whose territory he enters.

### ARTICLE VI.

The pursuing force shall retire to its own territory as soon as it shall have fought the band of which it is in pursuit, or have lost its trail. In no

á ningun explorador indio (scout) del Gobierno de los Estados Unidos de América, cruzar la línea divisoria, á no ser que vaya sin armas y como guía y practico en las huellas, y en el concepto de que en ningun caso acompañaran mas de dos indios exploradores (scouts) á cada Compañia ó cada mando separado.

### ARTÍCULO III.

El paso reciproco convenido en el artículo I no podrá hacerse sino por la parte despoblada y desierta de dicha línea divisoria. Para los efectos de este convenio se entienden por partes despobladas ó desiertas todos aquellos puntos distantes por lo menos diez kilómetros de cualquier campamento ó poblacion de ambos países.

### ARTÍCULO IV.

El paso de tropas de uno ú otro país no podrá tener lugar desde Capitan Leal, poblacion en el lado mexicano del Rio Bravo á ochenta y cuatro kilómetros (52 millas inglesas), rio arriba de Piedras Negras hasta la embocadura del Rio Bravo del Norte.

### ARTÍCULO V.

El Jefe de las fuerzas que pasen la frontera en persecucion de indios, deberá, al cruzar la linea divisoria ó antes si fuere posible, dar aviso de su marcha al Jefe militar ó á la autoridad civil mas inmediata del país á cuyo territorio va á entrar.

### ARTÍCULO VI.

La fuerza perseguidora se retirará á su país tan luego como haya batido la partida perseguida ó perdido su huella. En ningun caso podran las

case shall the forces of the two countries, respectively, establish themselves or remain in the foreign territory, for any time longer than is necessary to make the pursuit of the band whose trail they follow.

#### ARTICLE VII

The abuses which may be committed by the forces which cross into the territory of the other nation, shall be punished by the government to which the forces belong, according to the gravity of the offence and in conformity with its laws, as if the abuses had been committed in its own territory, the said government being further under obligation to withdraw the guilty parties from the frontier.

#### ARTICLE VIII.

In the case of offences which may be committed by the inhabitants of the one country against the foreign forces which may be within its limits, the government of said country shall only be responsible to the government of the other for denial of justice in the punishment of the guilty.

#### ARTICLE IX.

This being a provisional agreement it shall remain in force until both governments negotiate a definite one, and may be terminated by either government upon four months notice to the other to that effect; but in no case shall this agreement remain in force for more than one year from this date.

#### ARTICLE X.

The Senate of the United Mexican States, having authorized the Presi-

fuerzas de los dos países, respectivamente, establecerse en el territorio extranjero, ni permanecer en él mas tiempo que el necesario para hacer la persecucion de la partida cuya huella sigan.

#### ARTÍCULO VII.

Los abusos que cometan las fuerzas que pasen al territorio de la otra nacion, seran castigados, segun la gravedad de la ofensa y con arreglo á sus leyes, por el Gobierno de quien dependan, como si fuesen cometidos en su propio territorio, quedando siempre obligado el mismo Gobierno, á retirar de la frontera á los culpables.

#### ARTÍCULO VIII.

En los casos de delitos cometidos por los habitantes de un país contra la fuerza del otro, que esté dentro de los límites del primero, el Gobierno de este país solo es responsable para con el otro Gobierno por denegacion de justicia en el castigo de los culpables.

#### ARTÍCULO IX.

Siendo este convenio provisional permanecerá en vigor mientras ambos Gobiernos celebran uno definitivo y podrá terminarse por cualquiera de los dos Gobiernos mediante la notificacion respectiva hecha al otro Gobierno, dada con cuatro meses de anticipacion; pero en ningun caso permanecerá vigente por mas de un año contado desde esta fecha.

#### ARTÍCULO X.

Habiendo el Senado de los Estados Unidos Mexicanos autorizado al

dent to conclude the present agreement, it shall have its effect from this date.

In testimony whereof we have interchangeably signed this agreement this 25th day of June, 1890.

JAMES G. BLAINE [SEAL.]  
M. ROMERO. [SEAL.]

Presidente para celebrar este convenio, comenzará á tener efecto desde esta fecha.

En testimonio de lo cual hemos firmado este convenio el 25 de Junio de 1890.

## AGREEMENT

BETWEEN

C. A. DOUGHERTY, CHARGÉ D'AFFAIRES AD INTERIM OF  
THE UNITED STATES OF AMERICA, AND IGNACIO  
MARISCAL, SECRETARY OF FOREIGN AFFAIRS OF THE  
UNITED MEXICAN STATES.

---

*Signed at Mexico November 25, 1892.*

---

### RENEWAL OF AGREEMENT.

The undersigned, duly authorized thereto by their respective Governments,

In view of the wish of the Government of the United States of America, manifested by its Honorable Secretary of State, under date of the 17th of the current month, through its Legation, to the Secretary of Foreign Affairs of Mexico, for a renewal of the agreement signed at Washington on the 25th of June 1890, to allow federal troops of each of the two countries to cross over to the territory of the other in pursuit of savage hostile indians, such renewal having become necessary by reason of the raids which, according to advices from the War Department of the United States, are being committed by some Apaches headed by the indian called "KID" along the dividing line between Arizona and New Mexico, it being feared that they seek to evade pursuit made by troops of the United States, by crossing the frontier of Mexico.

Los infrascritos, con la necesaria autorización de sus respectivos Gobiernos,

Visto el deseo del Gobierno de los Estados Unidos de América, manifestado por su honorable Secretario de Estado con fecha 17 del presente mes, por conducto de su Legación, al Secretario de Relaciones Exteriores de México, de que se renueve el convenio firmado en Washington el 25 de Junio de 1890, para que se permita á las tropas federales de cada uno de los dos países pasar al territorio del otro en persecución de indios salvajes sublevados, porque hacen necesaria dicha renovación las depredaciones que, según informes del Departamento de Guerra de los Estados Unidos, están cometiendo unos apaches encabezados por el indio llamado "Kid," á lo largo de la línea divisoria entre Arizona y Nuevo México, siendo de temerse que traten de escapar á la persecución que les hacen tropas de los Estados Unidos, atravesando la frontera de México;

And, considering that the understanding between the two interested Governments to avoid the continuation of the evils consequent upon the uprising of the said indians is urgent,

They have agreed, in name and representation of their respective Governments, to renew the aforesaid agreement of June 25, 1890, of which a printed copy in English and Spanish is hereto attached, to the end that its effects may prevail for all such time as said uprising may last on the part of the Apache indians led by the ring-leader "KID," and the necessity may exist for their pursuit by an armed force, provided that, in no case, may the duration of the agreement thus hereby renewed, be extended beyond one year from this date.

Done in two copies, signed and sealed in the city of Mexico, this twenty-fifth day of November, the year one thousand eight hundred and ninety-two.

[SEAL.] C. A. DOUGHERTY

[SEAL.] IG<sup>NO</sup> MARISCAL

Y considerando que es urgente el acuerdo entre los dos Gobiernos interesados para evitar la continuación de los males ocasionados por la sublevación de dichos indios,

Han convenido, en nombre y representación de sus respectivos Gobiernos, en restablecer el citado arreglo del 25 de Junio de 1890, del cual se agrega un ejemplar impreso en inglés y castellano, para que surta sus efectos por todo el tiempo que dure la repetida sublevación de los indios apaches que dirige el cabecilla Kid, y la necesidad de perseguirlos con fuerza armada, sin que, en ningún caso, pueda extenderse la duración del convenio que al presente se renueva, á más de un año contado desde esta fecha.

Hecho en dos ejemplares, firmado y sellado en la ciudad de México, hoy, veinticinco de Noviembre de mil ochocientos noventa y dos.

[SELLO.] IG<sup>NO</sup> MARISCAL.

[SELLO.] C. A. DOUGHERTY.



AGREEMENT, SIGNED AT WASHINGTON, JUNE 25, 1890.

*Agreement entered into in behalf of their respective Governments, by James G. Blaine, Secretary of State of the United States of America, and Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the United Mexican States, providing for the reciprocal crossing of the international boundary line by the troops of their respective governments, in pursuit of savage hostile Indians, under the conditions hereinafter stated.*

ARTICLE I.

It is agreed that the regular federal troops of the two Republics may reciprocally cross the boundary line of the two countries, when they are in close pursuit of a band of hostile savage Indians, upon the conditions stated in the following articles :

ARTICLE II.

It is understood for the purpose of this agreement, that no Indian scouts of the Government of the United States of America shall be allowed to cross the boundary line, unless they go as guides and trailers, unarmed, and not exceeding in any case, two scouts for each Company or each separate command.

ARTICLE III

The reciprocal crossing agreed upon in Article I, shall only occur in the unpopulated or desert parts of said boundary line. For the purpose of this agreement the unpopu-

*Convenio celebrado en nombre de sus respectivos Gobiernos, por James G. Blaine, Secretario de Estado de los Estados Unidos de América, y Matias Romero, Enviado Extraordinario y Ministro Plenipotenciario de los Estados Unidos Mexicanos, autorizando el paso recíproco provisional de la línea divisoria internacional, de tropas de sus respectivos Gobiernos, en persecucion de indios salvajes sublevados, bajo las restricciones que en seguida se expresan :*

ARTÍCULO I.

Se conviene en que las tropas federales regulares de las dos Repúblicas pasen recíprocamente la línea divisoria entre los dos países cuando vayan persiguiendo de cerca una partida de indios salvajes sublevados, con arreglo á las condiciones que se expresan en los artículos siguientes :

ARTÍCULO II.

Para los efectos de este convenio queda entendido que no se permitirá á ningun explorador indio (scout) del Gobierno de los Estados Unidos de América, cruzar la línea divisoria, á no ser que vaya sin armas y como guia y práctico en las huellas, y en el concepto de que en ningun caso acompañaran mas de dos indios exploradores (scouts) á cada Compañía ó cada mando separado.

ARTÍCULO III.

El paso recíproco convenido en el artículo I no podrá hacerse sino por la parte despoblada y desierta de dicha línea divisoria. Para los efectos de este convenio se entienden por

lated or desert parts are defined to be all those points which are at least ten kilometers distant from any encampment or town of either country.

#### ARTICLE IV.

No crossing of troops of either country shall take place from Capitan Leal, a town on the Mexican side of the Rio Bravo, eighty-four kilometers (52 English miles) above Piedras Negras, to the mouth of the Rio Grande.

#### ARTICLE V.

The Commander of the troops which cross the frontier in pursuit of Indians, shall, at the time of crossing, or before if possible, give notice of his march to the nearest military commander, or civil authority, of the country whose territory he enters.

#### ARTICLE VI.

The pursuing force shall retire to its own territory as soon as it shall have fought the band of which it is in pursuit, or have lost its trail. In no case shall the forces of the two countries, respectively, establish themselves or remain in the foreign territory, for any time longer than is necessary to make the pursuit of the band whose trail they follow.

#### ARTICLE VII

The abuses which may be committed by the forces which cross into the territory of the other nation, shall be punished by the government to which the forces belong, according to the gravity of the offence and in conformity with its laws, as if the abuses had been committed in its own terri-

partes despobladas ó desiertas todos aquellos puntos distantes por lo menos diez kilómetros de cualquier campamento ó poblacion de ambos países.

#### ARTÍCULO IV.

El paso de tropas de uno ú otro país no podrá tener lugar desde Capitan Leal, poblacion en el lado mexicano del Rio Bravo á ochenta y cuatro kilómetros (52 millas inglesas), rio arriba de Piedras Negras hasta la embocadura del Rio Bravo del Norte.

#### ARTÍCULO V.

El Jefe de las fuerzas que pasen la frontera en persecucion de indios, deberá, al cruzar la línea divisoria ó antes si fuere posible, dar aviso de su marcha al Jefe militar ó á la autoridad civil mas inmediata del país á cuyo territorio va á entrar.

#### ARTÍCULO VI.

La fuerza perseguidora se retirará á su país tan luego como haya batido la partida perseguida ó perdido su huella. En ningun caso podrán las fuerzas de los dos países, respectivamente, establecerse en el territorio extranjero, ni permanecer en él mas tiempo que el necesario para hacer la persecucion de la partida cuya huella sigan.

#### ARTÍCULO VII.

Los abusos que cometan las fuerzas que pasen al territorio de la otra nacion, serán castigados, segun la gravedad de la ofensa y con arreglo á sus leyes, por el Gobierno de quien dependan, como si fuesen cometidos en su propio territorio, quedando siempre obligado el mismo Gobierno

tory, the said government being further under obligation to withdraw the guilty parties from the frontier.

#### ARTICLE VIII.

In the case of offences which may be committed by the inhabitants of the one country against the foreign forces which may be within its limits, the government of said country shall only be responsible to the government of the other for denial of justice in the punishment of the guilty.

#### ARTICLE IX.

This being a provisional agreement it shall remain in force until both governments negotiate a definite one, and may be terminated by either government upon four months notice to the other to that effect; but in no case shall this agreement remain in force for more than one year from this date.

#### ARTICLE X.

The Senate of the United Mexican States, having authorized the President to conclude the present agreement, it shall have its effect from this date.

In testimony whereof we have interchangeably signed this agreement this 25th day of June, 1890.

JAMES G. BLAINE [L. s.]  
M. ROMERO [L. s.]

á retirar de la frontera á los culpables.

#### ARTÍCULO VIII.

En los casos de delitos cometidos por los habitantes de un país contra la fuerza del otro, que esté dentro de los límites del primero, el Gobierno de este país solo es responsable para con el otro Gobierno por denegacion de justicia en el castigo de los culpables.

#### ARTÍCULO IX.

Siendo este convenio provisional, permanecerá en vigor mientras ambos Gobiernos celebran uno definitivo y podrá terminarse por cualquiera de los dos Gobiernos mediante la notificacion respectiva hecha al otro Gobierno, dada con cuatro meses de anticipacion; pero en ningun caso permanecerá vigente por mas de un año contado desde esta fecha.

#### ARTÍCULO X.

Habiendo el Senado de los Estados Unidos Mexicanos autorizado al Presidente para celebrar este convenio, comenzará á tener efecto desde esta fecha.

En testimonio de lo cual hemos firmado este convenio el 25 de Junio de 1890.

JAMES G. BLAINE [SEAL.]  
M. ROMERO. [SEAL.]







## CONVENTION

BETWEEN

THE UNITED STATES OF AMERICA AND THE UNITED STATES  
OF MEXICO.

---

TO EXTEND FURTHER FOR TWO YEARS FROM OCTOBER 11, 1894,  
THE PERIOD FIXED BY ARTICLE VIII OF THE CONVENTION OF  
JULY 29, 1882, PROVIDING FOR AN INTERNATIONAL BOUNDARY  
SURVEY TO RELOCATE THE EXISTING FRONTIER LINE WEST  
OF THE RIO GRANDE.

---

*Concluded at Washington, August 24, 1894.*

*Ratification advised by the Senate, August 27, 1894.*

*Ratified by the President of the United States, September 1, 1894.*

*Ratified by the President of Mexico, October 3, 1894.*

*Ratifications exchanged at Washington, October 11, 1894.*

*Proclaimed, October 18, 1894.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION.

Whereas, a Convention between the United States of America and the United States of Mexico, further extending for two years from October 11, 1894, the period fixed by Article VIII of the Convention of July 29, 1882, between those two countries, providing for an international boundary survey to relocate the existing frontier line between them west of the Rio Grande, was concluded and signed by their respective plenipotentiaries at the city of Washington on the 24th day of August, in the year one thousand eight hundred and ninety four, which Convention is word for word as follows:—

Whereas the United States of America and the United States of Mexico desire to comply fully with the provisions of the Convention concluded and signed at Washington, July 29, 1882, providing for an international boundary sur-

Deseando los Estados Unidos de América y los Estados Unidos Mexicanos dar pleno cumplimiento á las estipulaciones de la Convención concluida y firmada en Washington el 29 de Julio de 1882 que prevé á un reconocimiento de la

vey to relocate the existing frontier line between the two countries west of the Rio Grande;

And whereas the time fixed by Article VIII of that Convention for the termination of the labors of the International Boundary Commission, as extended by Article II of the Convention concluded and signed between the two high contracting parties February 18, 1889, will expire October 11, 1894;

And whereas the two high contracting parties deem it expedient to agree upon a further extension of the time stipulated in Article II of the Convention aforesaid, to the end that the International Boundary Commission may be enabled to finish all its work and so render a report accompanied by a final map of the topography on both sides of the line, they have appointed for this purpose their respective Plenipotentiaries, to wit:

The President of the United States of America, Walter Q. Gresham, Secretary of State of the United States of America, and

The President of the United States of Mexico, Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the United States of Mexico in Washington,

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following article:

#### ARTICLE I.

The period fixed by Article VIII of the aforesaid Convention of July 29, 1882, between the United States of America and the United States of Mexico, which was extended for five years from the date of the exchange of the ratifications of the Convention of February 18, 1889, between the same high contracting parties and which will terminate

frontera internacional á fin de marcar de nuevo la línea divisoria entre los dos países al Oeste del Rio Bravo del Norte;

Y expirando el 11 de Octubre de 1894 el plazo fijado por el Artículo VIII de esa Convención para el término de los trabajos de la Comisión Internacional de Límites, con la prórroga convenida por el Artículo II de la Convención concluida y firmada entre las dos Altas Partes Contratantes el 18 de Febrero de 1889,

Y considerando conveniente las dos Altas Partes Contratantes prorrogar de nuevo el plazo estipulado en el Artículo II de la Convención citada, á fin de que la Comisión Internacional de Límites pueda terminar sus trabajos y rendir un informe acompañado de un plano final de la topografía de ambos lados de la línea, han nombrado, con este objeto, sus respectivos Plenipotenciarios, á saber:

El Presidente de los Estados Unidos de América á Walter Q. Gresham, Secretario de Estado de los Estados Unidos de América, y

El Presidente de los Estados Unidos Mexicanos á Matias Romero, Enviado Extraordinario y Ministro Plenipotenciario de los Estados Unidos Mexicanos en Washington,

Quienes, despues de haberse cambiado sus respectivos plenos poderes, encontrándolos en buena y debida forma, y puestos, de acuerdo entre sí, han convenido en el artículo siguiente:

#### ARTÍCULO I.

El plazo fijado por el Artículo VIII de la Convención citada de 29 de Julio de 1882, firmada entre los Estados Unidos de América y los Estados Unidos Mexicanos, que fué prorrogado por cinco años contados desde la fecha del cange de ratificaciones de la Convención de 18 de Febrero de 1889, celebrada entre las mismas Altas Partes



October 11, 1894, is hereby further extended for a period of two years from that date.

This Convention shall be ratified by the high contracting parties in conformity with their respective constitutions and its ratifications shall be exchanged in Washington, as soon as possible.

In faith whereof, we, the undersigned, in virtue of our respective full powers, have signed this convention, in duplicate, in the English and Spanish languages and have thereunto affixed our respective seals.

Done at the City of Washington, the 24th day of August in the year one thousand eight hundred and ninety-four.

WALTER Q. GRESHAM [SEAL]  
M. ROMERO. [SEAL]

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Washington on the 11th day of October, one thousand eight hundred and ninety-four;

Now, therefore, be it known that I, Grover Cleveland, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this eighteenth day of October, in the year of our Lord, one thousand eight hundred and ninety-four, and of the Independence of the United States of America the one hundred and nineteenth.

GROVER CLEVELAND

By the President:

W. Q. GRESHAM  
*Secretary of State.*

Contratantes, y que terminará el 11 de Octubre de 1894, se prorroga por la presente por un período de dos años contados desde esta última fecha.

Esta Convención será ratificada por las dos Altas Partes Contratantes de acuerdo con sus respectivas Constituciones, y las ratificaciones se cangearán en Washington, tan pronto como sea posible.

En fé de lo cual nosotros, los infrascritos, en virtud de nuestros plenos poderes, hemos firmado esta Convención por duplicado en las lenguas Inglesa y Española, y hemos puesto nuestros respectivos sellos.

Dada en la Ciudad de Washington, á 24 de Agosto del año de mil ochocientos noventa y cuatro



# MEXICO—WATER BOUNDARY.

---

## CONVENTION

BETWEEN

THE UNITED STATES OF AMERICA AND THE UNITED STATES OF  
MEXICO

EXTENDING

FOR ONE YEAR FROM DECEMBER 24, 1895, THE DURATION OF THE  
CONVENTION OF MARCH 1, 1889.

---

*Signed at Washington October 1, 1895.*

*Ratification advised by the Senate December 17, 1895.*

*Ratified by the President December 20, 1895.*

*Ratified by the President of Mexico November 5, 1895.*

*Ratifications exchanged at Washington December 21, 1895.*

*Proclaimed December 21, 1895.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Whereas, a Convention between the United States of America and the United States of Mexico extending for a period of one year from December 24, 1895, the duration of the Convention between the two high Contracting Parties of March 1, 1889 concerning the water boundary between the two countries, was concluded and signed by their respective plenipotentiaries at the city of Washington on the first day of October 1895, the original of which Convention, being in the English and Spanish languages is word for word as follows:

Whereas the United States of America and the United States of Mexico desire to comply fully with the provisions of the Convention concluded and signed at Washington, March 1, 1889, to facilitate the carrying out of the principles contained in the Convention of November 12, 1884, between the two High Contracting Parties, and to avoid the difficulties occasioned by reason of the changes which take place in the beds of the Río Grande and Colorado River in that portion thereof where they serve as a boundary line between the two Republics;

Deseando los Estados Unidos de América y los Estados Unidos Mexicanos dar pleno cumplimiento á las estipulaciones de la Convencion concluida y firmada en Washington el 1º de Marzo de 1889 para facilitar la ejecucion de los principios contenidos en el Tratado de 12 de Noviembre de 1884, firmado entre las dos Altas Partes contratantes, y evitar las dificultades ocasionadas con motivo de los cambios que tienen lugar en el cauce de los rios Bravo del Norte y Colorado en aquellas de sus partes que sirven de límite á las dos Repúblicas;

And whereas the time fixed by Article IX of the Convention of March 1, 1889, will expire December 24, 1895;

And whereas the two High Contracting Parties deem it expedient to agree upon an extension of the time stipulated in Article IX aforesaid, to the end that the International Boundary Commission may conclude the examination and decision of the cases submitted to it, they have appointed for this purpose their respective plenipotentiaries, to wit:

The President of the United States of America, Richard Olney, Secretary of State of the United States of America; and

The President of the United States of Mexico, Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the United States of Mexico at Washington,

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following article:

#### ARTICLE.

The duration of the Convention of March 1, 1889, between the United States of America and the United States of Mexico, which, in virtue of the provisions of Article IX thereof, was to continue in force for a period of five years from the date of the exchange of its ratifications, and which will terminate December 24, 1895, is hereby extended for the period of one year from that date.

This Convention shall be ratified by the High Contracting Parties in conformity with their respective Constitutions, and its ratifications shall be exchanged at Washington as soon as possible.

In faith whereof, we, the undersigned, in virtue of our respective full powers, have signed this convention, in duplicate, in the English

Y debiendo expirar el 24 de Diciembre de 1895 el plazo fijado por el artículo IX de la Convención de 1º de Marzo de 1889;

Y considerando conveniente las dos Altas Partes Contratantes prorogar el plazo estipulado en el Artículo IX de dicha Convención, á fin de que la Comisión Internacional de Límites pueda concluir el examen y decisión de los casos que se le han sometido, han nombrado con ese objeto sus respectivos Plenipotenciarios, á saber:

El Presidente de los Estados Unidos de América á Richard Olney, Secretario de Estado de los Estados Unidos de América; y

El Presidente de los Estados Unidos Mexicanos á Matias Romero, Enviado Extraordinario y Ministro Plenipotenciario de los Estados Unidos Mexicanos en Washington,

Quienes, despues de haberse comunicado sus respectivos plenos poderes, encontrándolos en buena y debida forma, y puestos de acuerdo entre si, han convenido en el artículo siguiente:

#### ARTICULO ÚNICO.

La duracion de la Convención de 1º de Marzo de 1889, firmada entre los Estados Unidos de América y los Estados Unidos Mexicanos, que, conforme a las estipulaciones de su Artículo IX, deberia permanecer vigente por el plazo de cinco años contados desde la fecha del cange de sus ratificaciones y que terminará el 24 Diciembre de 1895, se proroga por la presente por el período de un año contado desde esta última fecha.

Esta Convención sera ratificada por las dos Altas Partes Contratantes de acuerdo con sus respectivas Constituciones, y las ratificaciones se cangearán en Washington tan pronto como sea posible.

En fe de lo cual, nos, los infrascritos, en virtud de nuestros respectivos plenos poderes, hemos firmado esta Convención por du-

and Spanish languages, and have thereunto affixed our respective seals.

Done at the City of Washington, this first day of October in the year of our Lord one thousand eight hundred and ninety-five.

plicado, en las lenguas Inglesa é Española, y hemos puesto nuestros respectivos sellos.

Hecho en la Ciudad de Washington, el día primero de Octubre del año de Nuestro Señor mil ochocientos noventa y cinco.

RICHARD OLNEY [SEAL]  
M. ROMERO [SEAL]

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Washington, on the twenty-first day of December, one thousand eight hundred and ninety-five;

Now, therefore, be it known that I, Grover Cleveland, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington this twenty-first day of December, in the year of our Lord one thousand eight hundred and ninety-five, and of the Independence of the United States the one hundred and twentieth.

GROVER CLEVELAND

By the President:

RICHARD OLNEY

*Secretary of State.*



## EXCHANGE OF NOTES

BETWEEN

### THE NETHERLANDS LEGATION AND THE DEPARTMENT OF STATE.

---

*Dated February 10, 1883, and February 16, 1883.*

---

[Translation.]

LEGATION OF THE NETHERLANDS,  
*Washington, February 10, 1883.*

MR. SECRETARY OF STATE: I have the honor herewith to transmit to Your Excellency a copy of the official edition of the Dutch Law relative to trade-marks, bearing date of May 25, 1880.\*

The provisions of this law make no distinction between natives of the Netherlands and foreigners, so that citizens of the United States of America receive the same usage in the Netherlands as my countrymen, as regards everything connected with the registration and protection of their trade-marks.

It consequently seems that, so far as the Netherlands are concerned, the conditions of reciprocity are fulfilled which are established for the registration and protection of foreign trade-marks in the United States of America by the act of Congress approved March 3, 1881, ("Public" No. 72) which allows the registration of trade-marks whose owners reside in foreign countries the laws of which grant the same privilege to citizens of the United States of America.

I have, therefore been instructed by my government to beg Your Excellency to be pleased, if there are no objections, to cause the adoption of the measures necessary in order that subjects of the Netherlands may hereafter avail themselves, in the United States of America, of the Act of Congress to which I have just referred.

Be pleased to accept, Mr. Secretary of State, a renewed assurance of my highest consideration.

G. DE WECKHERLIN.

To His Excellency F. T. FRELINGHUYSEN,  
*Secretary of State, Washington.*

---

\*Its text will be found with the minister's note bound in Netherlands Notes, January 1, 1880, to May 31, 1885, vol. 9.

DEPARTMENT OF STATE,  
*Washington, Feb. 16, 1883.*

Mr. G. DE WECKHERLIN,

*Etc., etc., etc.*

SIR: I have the honor to acknowledge the receipt of your note of the 10th instant, by which you communicate to me the text of the Netherlands law of the 25th of May, 1880, concerning Marks of Trade and Commerce.

I have taken due note of your statement that this law makes no distinction between Netherlands and foreigners, so that the citizens of the United States are treated in the Low Countries on the same footing as the natives thereof in all that concerns the registration and protection of their commercial and trade marks. As the enacting clause of the Act of Congress of March 3, 1881 "to authorize the registration of trade marks and protect the same", provides in terms as follows: "That owners of trade-marks used in commerce with foreign nations, or with the Indian tribes, provided such owners shall be domiciled in the United States, or *located in any foreign country* or tribes which by treaty, convention *or law*, afford similar privileges to citizens of the United States, may obtain registration of such trade-marks by complying with" the requirement of that act, and as your declaration establishes the fact that the Netherlands law gives similar privileges to citizens of the United States located in the Low Countries, the fact of entire reciprocity of usage between the two countries in this respect may now be regarded as established and evidenced by the present exchange of diplomatic notes, and as henceforth operative without further formalities between them.

As soon as a translation of the law you communicate to me can be prepared, a copy thereof, with copies of the present correspondence, will be communicated to the Secretary of the Interior, for the governance of the Commissioner of Patents in all that may pertain to the lawful registration of trade-marks by Netherlands.

Accept, Sir, a renewed assurance of my highest consideration.

FREDK. T. FRELINGHUYSEN.



## CONVENTION

BETWEEN

THE UNITED STATES OF AMERICA AND THE KINGDOM OF  
THE NETHERLANDS.

---

### EXTRADITION OF CRIMINALS.

---

*Concluded at Washington June 2, 1887.*

*Ratification advised by the Senate March 26, 1889.*

*Ratified by the President of the United States April 17, 1889.*

*Ratified by His Majesty the King of the Netherlands May 5, 1889.*

*Ratifications exchanged at The Hague May 31, 1889.*

*Proclaimed June 21, 1889.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Whereas a Convention between the United States of America and the Kingdom of the Netherlands for the Extradition of Criminals was concluded and signed by the respective Plenipotentiaries of the aforesaid High Contracting Parties, at the City of Washington, on the second day of June, one thousand eight hundred and eighty-seven, the original of which Convention, being in the English and Dutch languages, is word for word as follows:

Convention between the United States and the Netherlands for the extradition of criminals.

The United States of America and His Majesty the King of the Netherlands having judged it expedient, with a view to the better administration of justice and the prevention of crime within their respective territories and jurisdictions, that persons charged with, or convicted of, the

Overeenkomst tusschen de Vereenigde Staten en de Nederlanden tot uitlevering van misdadigers.

De Vereenigde Staten van Amerika en Zijne Majesteit de Koning der Nederlanden, het, ter bevordering eener betere bedeeeling van het recht en ter voorkoning van misdrijven binnen hun wederzijdsch grond-en rechtsgebied, nuttig géoordeeld hebbende, dat personen, beklaagd van

crimes hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up, have resolved to conclude a new convention for that purpose, and have appointed as their plenipotentiaries :

The President of the United States of America ; Thomas F. Bayard, Secretary of State of the United States, and

His Majesty the King of the Netherlands ; William Ferdinand Henry von Weckherlin, His Majesty's Envoy Extraordinary and Minister Plenipotentiary to the United States, who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following articles :

#### ARTICLE I.

The United States of America and His Majesty the King of the Netherlands reciprocally engage to deliver up to justice all persons convicted of or charged with any of the crimes or offences enumerated in the following article, committed within the respective jurisdiction of the United States of America, or of the Kingdom of the Netherlands, exclusive of the Colonies thereof, such persons being actually within such jurisdiction when the crime or offence was committed, who shall seek an asylum or shall be found within the jurisdiction of the other, exclusive of the Colonies of the Netherlands : Provided, That this shall only be done upon such evidence of criminality as, according to the laws of the place where the fugitive so

of veroordeeld wegens de na te noemen misdrijven, en die voortvluchtig mochten zijn, onder zekere omstandigheden wederkeerig worden uitgeleverd, hebben besloten to dien einde eene nieuwe overeenkomst aan te gaan, en tot Hunne gevolmachtigden benoemd, te weten :

De President der Vereenigde Staten van Amerika, den Heer Thomas F. Bayard, Secretaris van Staat van de Vereenigde Staten, en Zijne Majesteit de Koning der Nederlanden, den Heer Wilhelm Ferdinand Heinrich von Weckherlin, Hoogstdezelfs Buitengewoon Gezant en gevolmachtigd Minister bij de Vereenigde Staten, die, na elkander hunne volmachten, welke in goeden en behoorlijken vorm zijn bevonden, te hebben medegedeeld, omtrent de navolgende artikelen zijn overeengekomen, en deze hebben vastgesteld.

#### ARTIKEL I.

De Vereenigde Staten van Amerika en Zijne Majesteit de Koning der Nederlanden verbinden zich wederkeerig, aan de rechterlijke autoriteiten uit te leveren alle personen, veroordeeld wegens, of beklaagd van een der in het volgend artikel genoemde strafbare feiten, gepleegd binnen het rechtsgebied van de Vereenigde Staten van Amerika, of van het Koninkrijk der Nederlanden, met uitzondering van zijne koloniën, wanneer die personen zich werkelijk binnen dat rechtsgebied bevonden toen het feit gepleegd werd, en zij eene schuilplaats zoeken of gevonden worden binnen het rechtsgebied der andere partij ; met uitzondering, der Nederlandsche koloniën, met dien verstande, dat de uitlevering alleen

charged shall be found, would justify his apprehension and commitment for trial, if the crime or offence had been there committed.

## ARTICLE II.

Persons shall be delivered up, according to the provisions of this convention, who shall have been charged with, or convicted of, any of the following crimes:

1. Murder, including infanticide; manslaughter.

2. Rape, bigamy, abortion.

3. Arson.

4. Mutiny, and rebellion on ship-board by two or more passengers against the authority of the commander of the ship, or by the crew or part of the crew, against the commander or the ship's officers.

5. Burglary; or the corresponding crime in the Netherlands law under the description of thefts committed in an inhabited house by night, and by breaking in, by climbing, or forcibly.

6. The act of breaking into and entering public offices or the offices of banks, banking-houses, savings-banks, trust companies, or insurance companies, with intent to commit

dan zal plaats hebben, wanneer zoodanig bewijs van strafbaarheid zal zijn geleverd, als overeenkomstig de wetten der plaats, waar de veroordeelde of beklaagde vluchteling zal gevonden zijn, voldoende grond zonde opleveren tot zijne inhechtenisneming en zijne verwijzing naar de openbare terechtzitting, indien het strafbare feit daar ter plaatse ware gepleegd.

## ARTIKEL II.

Overeenkomstig de bepalingen van dit verdrag, zullen worden uitgeleverd zij, die beklaagd zijn van of veroordeeld wegens eender navolgende strafbare feiten:

1°. Doodslag of moord; kinder doodslag of kindermoord.

2°. Verkrachting, dubbel huwelijk, het opzettelijk veroorzaken van de afdrijving of den dood der vrucht van eene vrouw door haarzelve of door anderen.

3°. Opzettelijke brandstichting.

4°. Insubordinatie van een opvarende van een schip of zeevischersvaartuig; muiterij.

5°. Inbraak, of de daarmede in de Nederlandsche wet overeenkomende strafbare feiten van diefstal of poging tot diefstal gedurende den voor de nachtrust bestemden tijd, in een bewoond huis, door iemand, die zich den toegang heeft verschaft door middel van braak of inklimming, of met geweld.

6°. Het inbreken en binnentreden in openbare gebouwen, of in gebouwen toebehoorende aan banken, bankiershuizen, spaarbanken, maatschappijen van inbewaarneming of

theft therein; and also the thefts resulting from such act.

7. Robbery; or the corresponding crime punished in the Netherlands law under the description of theft committed with violence or by means of threats.

8. Forgery, or the utterance of forged papers including the forgery or falsification of official acts of the Government or public authority or courts of justice affecting the title or claim to money or property.

9. The counterfeiting, falsifying or altering of money, whether coin or paper, or of instruments of debt created by national, state, provincial, or municipal governments, or coupons thereof, or of bank-notes, or the utterance or circulation of the same, or the counterfeiting, falsifying or altering of the seals of State.

10. Embezzlement by public officers.

11. Embezzlement by any person or persons hired or salaried, to the detriment of their employers, when the offence is subject to punishment by imprisonment by the laws of both countries.

12. Destruction or loss of a vessel on the high seas, or within the jurisdiction of the party asking the extradition, caused intentionally.

van verzekering, met het doel aldaar diefstal te plegen, alsmede diefstal onder zoodanige omstandigheden gepleegd.

7°. Roof, of het daarmede overeenkomende strafbaar feit in de Nederlandsche wet strafbaar gesteld onder de omschrijving van diefstal gepleegd met geweld of door middel van bedreiging.

8°. Valschheid in geschrift, met inbegrip van officiële stukken van de Regeering of van de administratieve of rechterlijke macht, den titel of de vordering op geldswaarden of goederen aandoende, of het opzettelijk gebruik maken van die valsche of vervalschte geschriften of stukken.

9°. Valsche munt en het opzettelijk in omloop brengen van valsche of vervalschte muntspeciën of muntpapier, valschheid in geschriften, schuldbrieven of certificaten van schuld van eenigen staat, provincie of gemeente, of in de daarbij behorende dividend- of rentebewijzen, of in bankbiljetten, en het opzettelijk gebruik maken van die valsche of vervalschte stukken, het namaken of vervalschen van van Rijksweg uitgegeven zegels.

10°. Verduistering door ambtenaren.

11°. Verduistering, gepleegd in dienstbetrekking, wanneer daartegen door de wetgevingen van beide landen hechtenis of eene zwaardere straf wordt bedreigd.

12°. Het opzettelijk en wederrechtelijk doen zinken of stranden, vernielen of onbruikbaar maken van een schip of ander vaartuig, in volle zee, of binnen het rechtsgebied der partij, die de uitlevering vraagt.

13. Kidnapping of minors, defined to be the abduction or detention of a minor for any unlawful end.

14. Obtaining by false devices money, valuables or other personal property, and the purchase of the same with the knowledge that they have been so obtained, when the crimes or offences are punishable by imprisonment or other corporal punishment by the laws of both countries.

15. Larceny, defined to be the theft of effects, personal property, or money.

16. Wilful and unlawful destruction or obstruction of railroads, which endangers human life.

Extradition shall also be granted for complicity in any of the crimes or offences enumerated in this article, provided that the persons charged with or convicted of such complicity may be punished as accessories with imprisonment of a year or more, by the laws of both countries.

Extradition may also be granted for the attempt to commit any of the crimes above enumerated, when such attempt is punishable with imprisonment of a year or more, by the laws of both contracting parties.

### ARTICLE III.

The provisions of this convention shall not apply to any crime or offence of a political character, nor to acts connected with such crimes or offences; and no person surrendered under the provisions hereof shall in any case be tried or punished for a crime or offence of a political char-

13°. Wegvoering en opzettelijke onttrekking van een minderjarige aan het wettig over hem gesteld gezag, tot een wederrechtelijk doel.

14°. Oplichting, indien daartegen door de wetgevingen van beide landen hechtenis of eene zwaardere straf wordt bedreigd.

15°. Diefstal.

16°. Het opzettelijk en wederrechtelijk vernielen of belemmeren van spoorwegen, waardoor het leven van menschen in gevaar wordt gebracht.

De uitlevering zal insgelijks worden toegestaan wegens medeplichtigheid aan een der in dit artikel vermelde strafbare feiten, wanneer die medeplichtigheid, volgens de wetgevingen van beide landen, met hechtenis of gevangenis van een jaar of meer gestraft kan worden.

De uitlevering zal ook kunnen worden toegestaan wegens poging tot een der bovenvermelde strafbare feiten, wanneer die poging, volgens de wetgevingen der beide contracterende partijen, strafbaar is met hechtenis of met gevangenis van één jaar of meer.

### ARTIKEL III.

De bepalingen der tegenwoordige overeenkomst zijn niet toepasselijk op staatkundige misdrijven, noch op strafbare feiten met staatkundige misdrijven samenhangende, en hij, die ter zake van een der in Artikel II genoemde strafbare feiten is uitgeleverd, kan in geen geval worden

acter, nor for any act connected therewith, committed previously to his extradition.

#### ARTICLE IV.

No person shall be tried or punished, after surrender, for any crime or offence other than that for which he was surrendered, if committed previous to his surrender, unless such crime or offence be one of those enumerated in Article II hereof.

#### ARTICLE V.

A fugitive criminal shall not be surrendered under the provisions hereof when, by lapse of time, he is exempt from prosecution or punishment for the crime or offence for which the surrender is asked, according to the laws of the country from which the extradition is demanded, or when his extradition is asked for the same crime or offence for which he has been tried, convicted or acquitted in that country, or so long as he is under prosecution for the same.

#### ARTICLE VI.

If the person whose extradition may be claimed pursuant to the stipulations hereof, be actually under prosecution for a crime or offence in the country where he has sought asylum, or shall have been convicted thereof, his extradition may be deferred until such proceedings be terminated, and until such criminal shall be set at liberty in due course of law.

vervolgd of gestraft ter zake van een staatkundig misdrijf, of van eenig strafbaar feit met een staatkundig misdrijf samenhangende, vóór zijne uitlevering gepleegd.

#### ARTIKEL IV.

Een uitgeleverd persoon zal niet mogen worden vervolgd of gestraft ter zake van een vóór zijne uitlevering gepleegd ander strafbaar feit dan dat, waarvoor zijne uitlevering heeft plaats gehad, ten zij dat feit vermeld zij in Artikel II dezer overeenkomst.

#### ARTIKEL V.

De uitlevering zal geen plaats hebben indien de vervolging of de straf, ter zake van het strafbare feit, waarvóór de uitlevering wordt aangevraagd, verjaard is naar de wetgeving van het land, waaraan de uitlevering wordt aangevraagd, of wanneer de aanvraag geschiedt op grond van hetzelfde feit, waarvoor de opgeëischte persoon, in het land, waaraan de uitlevering wordt aangevraagd, heeft terechtgesteld, en ter zake waarvan hij aldaar veroordeeld, van rechtsvervolging ontslagen of vrijgesproken is, of zoolang hij ter zake van hetzelfde feit aldaar wordt vervolgd.

#### ARTIKEL VI.

Indien de persoon, wiens uitlevering krachtens de bepalingen dezer overeenkomst kan worden aangevraagd ter zake van een strafbaar feit, vervolgd wordt of veroordeeld is in het land, waarheen hij gevlucht is, zal zijne uitlevering kunnen worden uitgesteld totdat de vervolging zal zijn afgelopen, of totdat hij van rechtsvervolging ontslagen of vrijgesproken zal zijn.

## ARTICLE VII.

If the person claimed by one of the parties hereto shall also be claimed by one or more powers, pursuant to treaty provisions on account of crimes committed within their jurisdiction, such criminal shall be delivered in preference, in accordance with that demand which is the earliest in date.

## ARTICLE VIII.

Neither of the contracting parties shall be bound to deliver up, under the stipulations of this convention, its own citizens or subjects.

## ARTICLE IX.

The expenses of the arrest, detention, examination and transportation of the accused shall be paid by the government which has preferred the demand for extradition.

## ARTICLE X.

All articles found in the possession of the fugitive criminal at the time of his arrest, which were obtained through the commission of the act of which he is convicted or with which he is charged, or which may be material as evidence in making proof of the crime, shall, so far as practicable according to the laws or practice in the respective countries, be delivered up with his person at the time of surrender. Nevertheless, the rights of third parties, with regard to all such articles, shall be duly respected.

## ARTIKEL VII.

Indien de persoon, wiens uitlevering door eene van beide contracteerende partijen is aangevraagd, door een of meer andere Staten krachtens bestaande verdragen wordt opgeëischt op grond van strafbare feiten, binnen het rechtsgebied dier Staten gepleegd, zal zijne uitlevering bij voorkeur worden toegestaan aan den Staat, die het eerst de aanvraag gedaan heeft.

## ARTIKEL VIII.

Geene van beide contracteerende partijen is, krachtens de tegenwoordige overeenkomst, verplicht tot uitlevering harer eigene onderdanen.

## ARTIKEL IX.

De kosten, voortvloeiende uit de aanhouding, de gevangenhouding, het gerechtelijk onderzoek en het vervoer der beklaagden, komen ten laste der Regeering, die de aanvraag om uitlevering gedaan heeft.

## ARTIKEL X.

Al de goederen, op het oogenblik zijner aanhouding in het bezit van den voortvluchtige gevonden, welke verkregen zijn door middel van het plegen van het feit, waarvoor hij veroordeeld, of waarvan hij beklaagd is, of die als bewijs- of overtuigingstukken kunnen dienen, zullen, voor zoover de wetten of het gebruik in de wederzijdsche landen zulks toelaten, te gelijk met den opgeëischte aan den opeischenden Staat worden overgegeven, met eerbiediging nogtans van rechten van derden op zoodanige goederen.

## ARTICLE XI.

Requisitions for the surrender of fugitives from justice shall be made by the respective diplomatic agents of the contracting parties. In the event of the absence of such agents from the country, or its seat of government, requisition may be made by consular officers.

When the person whose extradition shall have been asked, shall have been convicted of the crime, a copy of the sentence of the court in which he may have been convicted, authenticated under its seal and accompanied by an attestation of the official character of the judge by the proper authority, shall be furnished.

If, however, the fugitive is merely charged with crime, a duly authenticated copy of the warrant of arrest in the country where the crime was committed, and of the depositions upon which such warrant may have been issued, shall be produced, authenticated as above provided, with such other evidence or proof as may be deemed competent in the case.

If, after an examination, it shall be decided, according to the law and evidence, that extradition is due pursuant to this convention, the fugitive shall be surrendered according to the forms of law prescribed in such cases.

## ARTICLE XII.

It shall be lawful for any competent judicial authority of the United States of America, upon production

## ARTIKEL XI.

De uitlevering zal worden aangevraagd door de wederzijdsche diplomatieke agenten der contracteerende partijen. In geval van afwezigheid dier agenten buiten's lands of van de plaats waar de zetel der Regeering gevestigd is, kunnen de aanvragen geschieden door de consulaire ambtenaren.

In geval de persoon, wiens uitlevering wordt aangevraagd, ter zake van het strafbaar feit is veroordeeld, zal een behoorlijk gelegaliseerd afschrift worden overgelegd van het vonnis van veroordeling, vergezeld van eene verklaring der bevoegde overheid nopens het officiëel karakter van den rechter, die het vonnis heeft uitgesproken. In geval de apgeëischte persoon alleen beklaagd is, zal een behoorlijk gelegaliseerd afschrift worden overgelegd van het bevel van gevangenneming in het land, waar het feit gepleegd is, alsmede eveneens behoorlijk gelegaliseerde afschriften der processen-verbaal van getuigenverhoor, op grond waarvan het bevel van gevangenneming is uitgevaardigd, vergezeld van zoodanige andere bewijsstukken als ter zake dienende kunnen worden geacht. Indien, na onderzoek, beslist zal zijn, dat, overeenkomstig de wet en de bewijsstukken, de uitlevering krachtens deze overeenkomst moet worden toegestaan, zal de voortvluchtige worden uitgeleverd, met inachtneming der vormen bij de wet voorgeschreven.

## ARTIKEL XII.

Iedere bevoegde rechterlijke overheid van de Vereenigde Staten van Amerika zal, op vertoon eener verk-



of a certificate issued by the Secretary of State that request has been made by the Government of the Netherlands for the provisional arrest of a person convicted or accused of the commission therein of a crime extraditable under this convention, and upon legal complaint that such crime has been so committed, to issue his warrant for the apprehension of such person. But if the formal requisition for surrender with the documentary proofs hereinbefore prescribed be not made as aforesaid, by the diplomatic agent of the demanding government, or, in his absence, by a consular officer thereof, within forty days from the date of the commitment of the person convicted or accused, the prisoner shall be discharged from custody.

And it shall be lawful for any competent judicial authority of the Netherlands, upon production of a certificate issued by the Minister of Foreign Affairs that request has been made by the government of the United States for the provisional arrest of a person convicted or accused of the commission therein of a crime extraditable under this convention, to issue his warrant for the apprehension of such person. But if the formal requisition for surrender with the documentary proofs hereinbefore prescribed be not made as aforesaid by the diplomatic agent of the demanding government, or, in his absence, by a consular officer thereof, within forty days from the date of

laring, afgegeven door den Secretaris van Staat, ten blijk dat door de Regeering van Nederland het verzoek gedaan is tot voorloopige aanhouding van een persoon die veroordeeld is wegens, of beklaagd is van een aldaar gepleegd strafbaar feit, waarvoor door de tegenwoordige overeenkomst uitlevering wordt toegestaan, en op eene aanklacht in rechten wegens bedoeld strafbaar feit, gerechtigd zijn een bevel uit te vaardigen tot aanhouding van dien persoon. Maar indien de formeele aanvraag niet, onder overlegging der hierboven voorgeschreven bewijsstukken, zooals hierboven gezegd is, gedaan wordt door den diplomatieken agent der Regeering van wie de aanvraag uitgaat, of, in diens afwezigheid, door eenen consulaire ambtenaar dier Regeering, binnen veertig dagen, te rekenen van den dag, waarop de beklagde naar de openbare terechtzitting verwezen is, zal de aangehouden persoon in vrijheid worden gesteld.

En iedere bevoegde rechterlijke overheid van Nederland zal, op vertoon eener verklaring, afgegeven door den Minister van Buitenlandsche Zaken, ten blijke dat door de Regeering der Vereenigde Staten van Amerika het verzoek gedaan is tot voorloopige aanhouding van een persoon, die veroordeeld is wegens, of beklaagd is van een aldaar gepleegd strafbaar feit, waarvoor door de tegenwoordige overeenkomst uitlevering wordt toegestaan, gerechtigd zijn een bevel uit te vaardigen tot aanhouding van dien persoon. Maar, indien de formeele aanvraag niet, onder overlegging der hierboven voorgeschreven bewijsstukken, zoo als hierboven gezegd is, gedaan

the arrest of the person convicted or accused, the prisoner shall be discharged from custody.

### ARTICLE XIII.

The present convention shall take effect on the twentieth day after its promulgation in the manner prescribed by the laws of the respective countries. On the same day the Convention entered into by the two contracting parties on the 22d day of May, 1880, shall be abrogated and annulled. But the present Convention shall be held to apply to crimes enumerated in the former convention and committed prior to its abrogation and annulment. And as to other crimes, the present convention shall not be held to operate retroactively.

After the present convention shall have gone into operation, it shall continue until one of the two parties shall give to the other six months' notice of its desire to terminate it.

This convention shall be ratified, and the ratifications shall be exchanged at Washington or The Hague as soon as possible.

In testimony whereof the respective plenipotentiaries have signed the present convention, in duplicate, and have hereunto affixed their seals.

wordt door den diplomatieken agent de Regeering van wie de aanvraag uitgaat, of, in diens afwezigheid, door eenen consulairen ambtenaar dier Regeering, binnen veertig dagen, te rekenen van den dag, waarop de beklaagde naar de openbare terechtzitting verwezen is, zal de aangehouden persoon in vrijheid worden gesteld.

### ARTIKEL XIII.

De tegenwoordige overeenkomst zal in werking treden op den twintigsten dag na hare afkondiging in de vormen bij de wetten der respectieve landen voorgeschreven. Op denzelfden dag zal de op 22 Mei 1880 tusschen de contracteerende partijen gesloten overeenkomst vervallen.

De tegenwoordige overeenkomst zal echter gerekend worden toepasselijk te zijn op de strafbare feiten in de vorige overeenkomst vermeld, welke vóór het vervallen daarvan zijn begaan. En wat andere strafbare feiten betreft, zal de tegenwoordige overeenkomst niet geacht worden terugwerkende kracht te hebben.

Te rekenen van hare in werkingtreding, zal de tegenwoordige overeenkomst van kracht blijven tot zes maanden nadat zij door eene van beide Regeeringen zal zijn opgezegd. Deze overeenkomst zal worden bekrachtigd, en de bekrachtigen er van zullen zoo spoedig mogelijk te Washington of te 's Gravenhage worden uitgewisseld.

Ten blijk van waarven de wederzijdsche gevolmachtigden de tegenwoordige overeenkomst in dubbel hebben onderteekend, en van hun zegel voorzien.

<p>Done at the City of Washington the second day of June in the year of our Lord, one thousand eight hun- dred and eighty-seven.</p>	<p>Gedaan te Washington den 2<sup>en</sup> Juni in het jaar onzes Heeren één duizend acht hondred en zeven en tachtig.</p>
--	--

T. F. BAYARD. [SEAL.]

W. F. H. VON WECKHERLIN [SEAL.]

And whereas the said Convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged at The Hague, on the thirty-first day of May, one thousand eight hundred and eighty-nine;

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the said Convention to be made public, to the end that the same, and every article and clause thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this 21st day of June in  
the year of our Lord, one thousand, eight hun-  
dred and eighty nine, and of the Independence  
[SEAL.] of the United States the one hundred and  
thirteenth.

BENJ HARRISON

By the President :

JAMES G. BLAINE

*Secretary of State.*



## CONVENTION

BETWEEN

THE UNITED STATES OF AMERICA AND THE EMPIRE OF  
RUSSIA.

---

### EXTRADITION OF CRIMINALS.

---

*Signed at Washington March  $\frac{1}{2}$ , 1887.*

*Ratification, with amendments, advised by the Senate February 6, 1893.*

*Ratified by the President February 14, 1893.*

*Ratified by the Emperor April  $\frac{4}{16}$ , 1893.*

*Ratifications exchanged at St. Petersburg April  $\frac{9}{21}$ , 1893.*

*Proclaimed June 5, 1893.*

---

BY THE PRESIDENT OF THE UNITED STATES,

### A PROCLAMATION.

Whereas a Convention between the United States of America and His Majesty the Emperor of all the Russias, for the extradition of criminals, was concluded and signed by their respective plenipotentiaries at the City of Washington, on the twenty-eighth day of March, in the year one thousand eight hundred and eighty seven, which Convention, being in the English and French languages, and as amended by the Senate of the United States, is word for word as follows:—

The United States of America and His Majesty the Emperor of all the Russias having thought proper, with a view to the better administration of justice, and for the prevention of crime in their respective territories and jurisdictions, that persons convicted of, or charged with, any of the crimes hereinafter enumerated, and having escaped from justice, should, in certain cases, be recipro-

Les Etats-Unis d'Amérique et Sa Majesté l'Empereur de toutes les Russies ayant jugé opportun, en vue d'une meilleure administration de la justice et pour prévenir les crimes dans leurs territoires et juridictions respectifs, que les individus condamnés ou accusés du chef des crimes ci-après énumérés et qui se seraient soustraits par la fuite aux poursuites de la justice, fussent, dans certaines

cally delivered up, have resolved to conclude a Convention to this end, and have named as their Plenipotentiaries, to wit :

The President of the United States of America, Thomas F. Bayard, Secretary of State of the United States ; and His Majesty the Emperor of all the Russias, Charles Struve, His Master of the Court, Envoy Extraordinary and Minister Plenipotentiary near the Government of the United States of America, and Baron Romain Rosen, His Gentleman in Waiting, Councillor of State, and Consul-General at New York ; who, having communicated to each other their full powers found to be in good and due form, have agreed upon the following articles :

#### ARTICLE I.

The High Contracting Parties reciprocally agree to surrender to each other, upon mutual requisitions and according to their respective regulations and procedure, persons who, being charged with, or convicted of, the commission, in the territory of one of the contracting parties, of any of the crimes and offenses specified in the following article, shall seek an asylum or be found within the territory of the other : *Provided*, That this shall only be done upon such evidence of criminality as, according to the laws of the place where the fugitive or person so charged shall be found, would justify his or her apprehension and commitment for trial if the crime or offense had been there committed.

#### ARTICLE II.

Persons convicted of, or charged with, any of the following crimes,

circonstances, réciproquement extradés, ont résolu de conclure une convention dans ce but et ont nommé pour leurs plénipotentiaires, savoir :

Le Président des Etats-Unis d'Amérique, Thomas F. Bayard, Secrétaire d'Etat des Etats-Unis ; et Sa Majesté l'Empereur de toutes les Russies, Charles Struve, Son Maître de la Cour, Envoyé Extraordinaire et Ministre Plénipotentiaire près le Gouvernement des Etats-Unis d'Amérique et le Baron Romain Rosen, Son Gentilhomme de la Chambre, Conseiller d'Etat et Consul-Général à New-York ; Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des articles suivants :

#### ARTICLE I.

Les Hautes Parties contractantes s'engagent réciproquement à se livrer à la suite de requisitions mutuelles et conformément à leurs lois et modes de procédure respectifs, les individus qui, poursuivis ou condamnés du chef de l'un des crimes et délits énumérés à l'article suivant, commis sur le territoire de l'une des parties contractantes, chercheront un asile ou seront trouvés sur le territoire de l'autre. Toutefois l'extradition n'aura lieu que dans le cas où l'existence de l'infraction sera constatée de telle manière que les lois du pays où le fugitif ou la personne poursuivie sera trouvée, justifieraient sa détention et sa mise en jugement, si le crime ou délit y avait été commis.

#### ARTICLE II.

Seront livrés en vertu des dispositions de la présente Convention, les

as well as attempts to commit, or participation in, the same, as an accessory before the fact, provided such attempt or participation is punishable by the laws of both countries, shall be delivered up in virtue of the provisions of this Convention :

1. Murder and manslaughter, when voluntary.

2. Rape, abortion.

3. Arson.

4. Burglary, defined to be the act of breaking, and entering by night, into the dwelling-house of another, with intent to commit felony ; robbery, defined to be the act of feloniously and forcibly taking from the person of another money or goods, by violence or putting him in fear ; larceny, when the value of the property stolen shall exceed two hundred dollars, or three hundred roubles.

5. Forgery ; and the utterance of forged papers, including public, sovereign, or governmental acts.

6. The fabrication or circulation of counterfeit money, either coin or paper, or of counterfeit public bonds, coupons of the public debt, bank notes, obligations, or, in general, of any counterfeit title or instrument of credit ; the counterfeiting of seals and dies, impressions, stamps, and marks of state and public administrations, and the utterance thereof.

7. The embezzlement of public moneys by public officers or depositaries.

individus condamnés ou poursuivis du chef de l'un des crimes suivants y compris les cas de tentative et de participation comme complice antérieur au fait pourvu que cette tentative ou participation soit punissable selon la législation des deux pays.

1. Meurtre et "manslaughter" volontaire.

2. Viol, et le crime de provoquer un avortement.

3. Incendie.

4. "Burglary" consistant dans l'action de s'introduire nuitamment et avec effraction ou escalade dans l'habitation d'autrui avec une intention criminelle ; "robbery" consistant dans l'enlèvement forcé et criminel, effectué sur la personne d'autrui, d'argent ou d'effets, à l'aide de violence ou d'intimidation ; vol, lorsque la valeur de l'argent ou des objets volés dépasse la somme de deux cents dollars ou trois cents roubles.

5. Crime de faux ainsi que l'émission de documents falsifiés, y compris les actes publics du Gouvernement ou de l'autorité souveraine.

6. Fabrication ou mise en circulation de fausse monnaie, ou de faux papier-monnaie ou de faux titres ou coupons de la dette publique, de faux billets de banque, de fausses obligations, ou, en général, de tout faux titre ou instrument de crédit quelconque ; contrefaçon de sceaux, empreintes, timbres ou marques de l'État et des administrations publiques et mise en circulation de pièces ainsi marquées.

7. Détournement de deniers publics commis par des officiers ou dépositaires publics.

8. Embezzlement by any person or persons, hired or salaried, to the detriment of their employers, when the value of the property so taken shall exceed two hundred dollars, or three hundred roubles.

9. Piracy, or mutiny on shipboard, whenever the crew, or part thereof, shall have taken possession of the vessel by fraud or by violence against the commander.

10. Wilful or unlawful destruction or obstruction of railroads which endangers human life.

### ARTICLE III.

If it be made to appear that extradition is sought with a view to try or punish the person demanded for an offense of a political character, surrender shall not take place; nor shall any person surrendered be tried or punished for any political offense committed previously to his extradition, nor for any offense other than that for which the extradition was granted; nor shall the surrender of any person be demanded for an offense committed prior to the date at which this Convention shall take effect.

An attempt against the life of the head of either Government, or against that of any member of his family, when such attempt comprises the act either of murder or assassination or of poisoning, or of accessorship thereto, shall not be considered a political offense or an act connected with such an offense.

### ARTICLE IV.

The contracting parties shall not be required to deliver up their own

8. Détournement commis par toute personne ou personnes employées ou salariées, au détriment de ceux qui les emploient, lorsque la valeur de l'argent ou des effets ainsi détournés dépasse la somme de deux cents dollars ou trois cents roubles.

9. Piraterie ou rébellion à bord d'un navire, lorsque l'équipage ou partie de celui-ci aura pris possession du navire par fraude ou violence envers le commandant.

10. Obstruction ou destruction volontaire ou illégale de voies ferrées qui mette en danger la vie humaine.

### ARTICLE III.

L'extradition n'aura pas lieu, lorsqu'il sera prouvé qu'elle a été demandée dans le but de poursuivre ou de punir la personne réclamée pour un délit d'un caractère politique; aucun individu extradé ne pourra être poursuivi ou puni ni pour un délit politique commis antérieurement à son extradition ni pour aucun délit autre que celui pour lequel son extradition a été accordée; l'extradition ne pourra être demandée pour aucun délit commis antérieurement à la date à laquelle la présente Convention sera entrée en vigueur.

Ne sera pas réputé délit politique, ni fait connexe à un semblable délit, l'attentat contre la vie du chef de l'un ou de l'autre Etat contractant ou contre celle des membres de sa famille, lorsque cet attentat constituera soit le fait, soit la complicité, de meurtre d'assassinat ou d'empoisonnement.

### ARTICLE IV.

Les parties contractantes ne seront point obligées de se livrer leurs propres



citizens or subjects, in virtue of the stipulations of the present Convention.

#### ARTICLE V.

If the person demanded be held for trial in the country on which the demand is made, it shall be optional with the latter to grant extradition, or to proceed with the trial: *Provided*, that, unless the trial shall be for the crime for which the fugitive is claimed, the delay shall not prevent ultimate extradition.

#### ARTICLE VI.

Requisitions for the surrender of fugitives from justice, accused or convicted of any of the crimes or offenses hereinbefore mentioned, shall be made by the diplomatic agent of the demanding Government. In case of the absence of such agent either from the country or from the seat of Government, such requisitions may be made by the superior consular officer.

When the person whose surrender is requested shall already have been convicted of the crime or offense for which his extradition is demanded, the demand therefor shall be accompanied by a copy of the judgment of the court that pronounced the sentence, bearing the seal of said court. The signature of the judge thereof shall be authenticated by the proper executive officer of the demanding Government, whose official character shall, in turn, be attested by the diplomatic agent or superior consular officer of the Government on which the demand is made.

citoyens ou sujets en vertu des stipulations de la présente convention.

#### ARTICLE V.

Lorsque la personne réclamée aura été mise en jugement dans le pays au Gouvernement duquel la demande d'extradition est adressée, ce Gouvernement est libre, soit d'accorder l'extradition, soit de poursuivre le procès intenté: il demeure entendu cependant que ce délai ne devra pas empêcher l'extradition ultérieure du fugitif, à moins que ce procès ne lui ait été intenté pour le même crime qui avait motivé la demande de son extradition.

#### ARTICLE VI.

Les demandes tendant à la remise des fugitifs, accusés ou condamnés du chef d'un des crimes ou délits ci-dessus énumérés, seront fait par l'agent diplomatique du Gouvernement requérant. En cas d'absence de cet agent, soit du pays, soit du siège du Gouvernement, ces demandes pourront être faites par l'agent consulaire supérieur.

Lorsque la personne réclamée aura déjà été condamnée à raison du crime ou du délit qui a motivé la demande d'extradition, cette demande devra être accompagnée d'une expédition authentique de l'arrêt de la cour qui a prononcé la sentence, munie du sceau de cette cour. La signature du juge devra être légalisée par l'agent compétent du pouvoir exécutif du Gouvernement requérant, dont le caractère officiel sera, à son tour, attesté par l'agent diplomatique ou l'agent consulaire supérieur du Gouvernement auquel la demande est adressée.

When the person whose surrender is asked shall be merely charged with the commission of an extraditable crime or offense, the application for extradition shall be accompanied by an authenticated copy of the warrant of arrest or of some other equivalent judicial document issued by a judge or a magistrate duly authorized to do so; and likewise by authenticated copies of the depositions or declarations made before such judge or magistrate and setting forth the acts with which the fugitive is charged.

#### ARTICLE VII.

It shall be lawful for any competent judicial authority of the United States, upon production of a certificate issued by the Secretary of State, stating that request has been made by the Imperial Government of Russia for the provisional arrest of a person convicted or accused of the commission therein of a crime or offense extraditable under this Convention, and upon complaint, duly made, that such crime or offense has been so committed, to issue his warrant for the apprehension of such person. But if the formal requisition for surrender, with the formal proofs hereinbefore mentioned, be not made as aforesaid by the diplomatic agent of the demanding Government, or, in his absence, by the competent consular officer, within forty days from the date of the commitment of the fugitive, the prisoner shall be discharged from custody.

And the Imperial Russian Government will, upon request of the Government of the United States, trans-

Lorsque la personne réclamée sera seulement prévenue d'un crime ou délit pouvant motiver son extradition, la demande d'extradition devra être accompagnée d'une copie authentique du mandat d'arrêt ou d'un autre document judiciaire équivalent, délivré par un juge ou un magistrat dûment autorisé à cet effet, ainsi que des dépositions ou déclarations faites devant ce juge ou magistrat et énonçant les actes dont le fugitif est prévenu.

#### ARTICLE VII.

Sur la présentation d'un certificat délivré par le Secrétaire d'Etat, constatant que le Gouvernement Impérial de Russie a demandé la mise en état d'arrestation provisoire d'une personne condamnée ou poursuivie du chef d'un crime ou délit commis en Russie et pouvant donner lieu à son extradition en vertu de la présente Convention, et sur une plainte dûment déposée et énonçant que telle crime ou délit a été ainsi commis, toute autorité judiciaire compétente des États-Unis aura le pouvoir légal de délivrer un mandat pour l'arrestation de cette personne. Mais si, dans l'espace de quarante jours à compter de la date de l'arrestation du fugitif, la demande formelle d'extradition, accompagnée des preuves formelles ci-dessus mentionnées n'est pas faite, ainsi qu'il est stipulé plus haut, par l'agent diplomatique du Gouvernement requérant ou, en son absence par l'agent consulaire compétent, le détenu sera mis en liberté ;

et le Gouvernement Impérial de Russie prendra, sur la demande du Gouvernement des États-Unis trans-

mitted through the diplomatic agent of the United States, or, in his absence, through the competent consular officer, secure the provisional arrest of persons convicted or accused of the commission therein of crimes or offenses extraditable under this convention. But if the formal requisition for surrender, with the formal proofs hereinbefore mentioned, be not made as aforesaid by the diplomatic agent of the demanding Government, or, in his absence, by the competent consular officer within forty days from the date of the arrest of the fugitive, the prisoner shall be discharged from custody.

#### ARTICLE VIII.

Articles in the possession of the fugitive that have aided the commission of the crime or offense, and any article or property which was obtained through the commission of the crime or offense charged, and, also, any other article that may serve to convict, shall, if the demand for extradition be granted, be delivered to the authorities of the demanding Government, even where, owing to the death or escape of the fugitive, extradition can not take place. Such delivery shall also include articles of the character above-mentioned which the fugitive may have concealed or deposited in the country of refuge, and which may subsequently be found there. The rights of third parties to the above-mentioned articles shall, nevertheless, be duly respected, and they shall be returned to the owners free of expense after the conclusion of the case.

mise par l'agent diplomatique des Etats-Unis, ou, en son absence, par l'agent consulaire compétent, des mesures pour la mise en état d'arrestation provisoire de toute personne condamnée ou poursuivie du chef d'un crime ou délit commis dans les Etats-Unis et pouvant donner lieu à son extradition. Mais si, dans l'espace de quarante jours à compter de la date de l'arrestation du fugitif, la demande formelle d'extradition, accompagnée des preuves formelles ci-dessus mentionnées, n'est pas faite, ainsi qu'il est stipulé plus haut, par l'agent diplomatique du Gouvernement requérant ou, en son absence, par l'agent consulaire compétent, le détenu sera mis en liberté.

#### ARTICLE VIII.

Les objets trouvés en la possession du fugitif qui auront servi pour commettre le crime ou délit, et tous objets ou effets provenant du fait incriminé, ainsi que toute autre pièce de conviction, seront livrés aux agents du Gouvernement requérant, mêmes dans les cas où l'extradition ne pourrait avoir lieu par suite de la mort ou de la fuite de l'inculpé. Cette remise comprendra aussi les objets appartenant à la même catégorie et que le prévenu aurait cachés ou déposés dans le pays où il s'est réfugié et qui y serait trouvés plus tard. Sont cependant réservés les droits des tiers sur les objets sus-mentionnés, qui devront leur être rendus sans frais après la conclusion du procès. Une semblable réserve est également stipulée à l'égard du droit du Gouvernement, auquel la demande d'extradition est adressée, de retenir provisoirement les dits objets lors qu'il

The right of the Government on which the demand for extradition is made to temporarily retain such articles, when they may be necessary for the institution of criminal proceedings occasioned by the same act that has given rise to the demand for extradition, or by any other act, is admitted.

#### ARTICLE IX.

In case the person whose extradition is demanded under the present Convention is also claimed by another Government, preference shall be given to the Government whose demand shall be earliest in point of time: *Provided* the Government from which extradition is sought is not bound by treaty to give preference otherwise.

#### ARTICLE X.

The expense occasioned by the arrest, detention, and transportation of persons whose extradition is requested shall be borne by the Government making the application.

#### ARTICLE XI.

The present Convention shall be ratified and the ratifications shall be exchanged at St. Petersburg as soon as possible.

It shall take effect on the twentieth day after its promulgation in the manner prescribed by the laws in force in the territories of the contracting parties. It shall remain in force for six months after notice of its termination shall have been given by either of the contracting parties.

seraient nécessaires pour l'instruction d'une affaire pénale occasionnée par le même fait qui a donné lieu à la demande ou par un autre fait quelconque.

#### ARTICLE IX.

Dans le cas où la personne dont l'extradition est demandée en vertu de la présente Convention est aussi réclamée par un autre Gouvernement, elle sera livrée au Gouvernement dont la demande aura une date plus ancienne. Pourvu que le Gouvernement auquel l'extradition est demandée ne soit tenu en vertu d'un traité d'en agir autrement.

#### ARTICLE X.

Les dépenses causées par l'arrestation, la détention et le transport des individus réclamés, seront supportés par le Gouvernement requérant.

#### ARTICLE XI.

La présente Convention sera ratifiée et les ratifications en seront échangées à St. Petersbourg aussitôt que faire se pourra.

Elle sera exécutoire à dater du vingtième jour après sa promulgation dans les formes prescrites par les lois en vigueur dans les territoires d'état des Parties contractantes. Elle continuera à être en vigueur jusqu'à six mois après déclaration contraire de la part de l'une des Parties contractantes.

In witness whereof, the respective Plenipotentiaries have signed the present Convention and have thereunto affixed the seals of their arms.

Done in duplicate, at the city of Washington, on the twenty-eighth day of March, one thousand eight hundred and eighty-seven.

T. F. BAYARD [SEAL.]  
C STRUVE. [SEAL.]  
ROSEN [SEAL.]

En foi de quoi les plénipotentiaires respectifs ont signé la présente Convention et y ont apposé le cachet de leurs armes.

Fait en double expédition à Washington, le seize (vingt-huit) Mars, mil huit-cent quatre-vingt-sept.

T. F. BAYARD [L. s.]  
C STRUVE [L. s.]  
ROSEN [L. s.]

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the City of St. Petersburg on the twenty-first day of April, one thousand eight hundred and ninety-three ;

Now, therefore, be it known that I, GROVER CLEVELAND, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof, as amended, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this fifth day of June in the year of our Lord one thousand eight hundred [SEAL.] and ninety-three, and of the Independence of the United States the one hundred and seventeenth.

GROVER CLEVELAND

By the President :

W. Q. GRESHAM

*Secretary of State.*



# RUSSIA.—FUR-SEAL FISHERIES.

---

## AGREEMENT

BETWEEN

THE UNITED STATES OF AMERICA AND THE  
IMPERIAL GOVERNMENT OF RUSSIA

FOR A

*MODUS VIVENDI* IN RELATION TO THE FUR-SEAL FISHERIES IN  
BEHRING SEA AND THE NORTH PACIFIC OCEAN.

---

*Signed at Washington, <sup>May 4,</sup>  
April 22, 1894.*

*Ratification advised by the Senate, May 9, 1894.*

*Proclaimed, May 12, 1894.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

## A PROCLAMATION.

Whereas an agreement for a *modus vivendi* between the Government of the United States and the Imperial Government of Russia, in relation to the fur-seal fisheries in Behring Sea and the North Pacific Ocean, was concluded on the 4th. day of May, one thousand eight hundred and ninety-four, which agreement being in the English and French languages is word for word as follows:

*Agreement between the Government of the United States and the Imperial Government of Russia for a modus vivendi in relation to the Fur-Seal Fisheries in Behring Sea and the North Pacific Ocean.*

*Arrangement entre le Gouvernement des États-Unis et le Gouvernement Impérial de la Russie pour un modus vivendi concernant la pêche des phoques à fourrure dans la mer de Bering et l'Océan Pacifique du Nord.*

For the purpose of avoiding difficulties and disputes in regard to the taking of fur-seal in the waters of Behring Sea and the North Pacific Ocean, and to aid in the preservation of seal life, the Government of the United States and the Imperial Government of Russia have entered into the following

Afin d'éviter toutes contentions et controverses au sujet de la pêche des phoques à fourrure dans les eaux de la mer de Bering et de l'Océan Pacifique du Nord, et pour aider à la préservation de l'espèce, le Gouvernement des États-Unis et le Gouvernement Impérial de Russie ont conclu l'arrangement

temporary agreement, with the understanding that it is not to create a precedent for the future, and that the contracting parties mutually reserve entire liberty to make choice hereafter of such measures as may be deemed best adapted for the protection of the fur-seal species, whether by means of prohibitive zones, or by the complete prohibition of pelagic sealing, or by appropriate regulation of seal-hunting in the high seas.

1. The Government of the United States will prohibit citizens of the United States from hunting fur-seal within a zone of ten nautical miles along the Russian coasts of Behring Sea, and of the North Pacific Ocean, as well as within a zone of thirty nautical miles around the Komandorsky (Commander) Islands and Tulienew (Robben) Island, and will promptly use its best efforts to ensure the observance of this prohibition by citizens and vessels of the United States.

2. Vessels of the United States engaged in hunting fur-seal in the above-mentioned zones outside of the territorial waters of Russia may be seized and detained by the naval or other duly commissioned officers of Russia; but they shall be handed over as soon as practicable to the naval or other commissioned officers of the United States or to the nearest authorities thereof. In case of impediment or difficulty in so doing, the commander of the Russian cruiser may confine his action to seizing the ship's papers of the offending vessels in order to deliver them to a naval or other commissioned officer of the United States, or to communicate them to the nearest authorities of the United States as soon as possible.

3. The Government of the United States agrees to cause to be tried by the ordinary courts, with all due guarantees of defense, such

provisoire suivant, sans la réserve qu'à aucun titre il ne puisse servir de précédent, et que les parties contractantes conservent leur entière liberté dans l'avenir quant aux choix des moyens qu'elles jugeront le plus propres à la préservation des phoques à fourrure, soit au moyen de zones prohibées, soit au moyen de l'interdiction complète de la chasse pélagique du phoque ou de sa réglementation en pleine mer.

1. Le Gouvernement des Etats-Unis défendra aux citoyens des Etats-Unis de chasser le phoque à fourrure dans une zone de dix milles maritimes le long de la côte russe de la mer Bering et de l'Océan Pacifique du Nord, ainsi que dans une zone de trente milles maritimes au tour des Isles Kommandorsky (Commander Islands) et de l'île Tulienew (Robben Island), et prendra sans retard les mesures nécessaires pour faire respecter cette interdiction par les citoyens et les navires des Etats-Unis.

2. Les navires appartenant aux Etats-Unis se livrant à la chasse aux phoques à fourrure dans les zones susmentionnées en dehors des eaux territoriales de la Russie, pourront être saisis et détenus par les officiers russes de la marine ou tout autre officier dûment autorisés à cet effet, mais ils devront être remis aussitôt que faire se pourra, aux officiers de la marine fédérale ou à tout autre officier autorisé à cet effet ou aux autorités des Etats-Unis, les plus proches. En cas d'empêchement ou de difficulté, le Commandant du croiseur russe pourra se borner à saisir les papiers de bord des navires en contravention afin de les remettre à un officier de la marine ou à tout autre officier autorisé à cet effet des Etats-Unis, ou pour les transmettre le plus tôt possible aux autorités des Etats-Unis les plus proches.

3. Le Gouvernement des Etats-Unis s'engage à faire juger par les tribunaux ordinaires et offrant toutes les garanties nécessaires,



vessels of the United States as may be seized, or the ship's papers of which may be taken, as herein prescribed, by reason of their engaging in the hunting of fur-seal within the prohibited zones outside of the territorial waters of Russia aforesaid.

4. The Imperial Russian Government will limit to 30,000 head the number of fur-seal to be taken during the year 1894, on the coasts of the Komandorsky (Commander) and Tulienew (Robben) Islands.

5. The present agreement shall have no retroactive force as regards the seizure of any seal-hunting vessel of the United States by the naval or other commissioned officers of Russia prior to the conclusion hereof.

6. The present agreement being intended to serve the purpose of a mere provisional expedient to meet existing circumstances, may be terminated at will by either party upon giving notice to the other.

In witness whereof, we, Walter Q. Gresham, Secretary of State of the United States, and Prince Gregoire Cantacuzene, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of all the Russias, have, on behalf of our respective Governments, signed and sealed this Agreement in duplicate, and in the English and French languages, in the City of Washington, this

4 May  
22 April 1894.

les navires des Etats-Unis arrêtés ou ceux dont les papiers de bord seraient saisis de la manière prescrite dans le present arrangement, comme s'étant livrés à la chasse aux phoques à fourrure dans la zone prohibée en dehors des eaux territoriales Russes.

4. Le Gouvernement Impérial limitera à trente mille le nombre des phoques à fourrure qui pourront être tués pendant l'année 1894 sur les côtes des îles Kommandorsky et Tulienew (Commander and Robben's Islands).

5. L'arrangement actuel n'aura pas de force retrospective quant à la saisie de navires des Etats-Unis employés à la chasse aux phoques, par les officiers de la marine ou par tout autre officier russe antérieurement à la conclusion du présent arrangement.

6. Le présent arrangement n'étant qu'un expédient essentiellement provisoire, pourra être terminé par l'une ou l'autre des deux parties en le dénonçant.

En foi de quoi nous Walter Q. Gresham, Secrétaire d'Etat des Etats-Unis, et Prince Grégoire Cantacuzène, envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté l'Empereur de toutes les Russies près les Etats-Unis, avons, au nom de nos Gouvernements respectifs, signés le présent arrangement en duplicata dans les langues anglaise et française, et y avons apposé nos sceaux, à Wash-

4 Mai  
ington ce 22 Avril 1894.

WALTER Q. GRESHAM [SEAL]  
PRINCE CANTACUZENE [SEAL]

And whereas the Senate by their resolution of May 9, 1894, (two-thirds of the Senators present concurring therein,) did advise and consent to the ratification of the same

Now, therefore, be it known that I, Grover Cleveland, President of the United States of America, have caused the said Agreement to be made public to the end that the same and every part thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this twelfth day of May, in the year of Our Lord one thousand eight hundred and ninety-four, and of the Independence of the United States the one hundred and eighteenth.

GROVER CLEVELAND

By the President:

W. Q. GRESHAM

*Secretary of State.*

[SEAL]

○

## GENERAL ACT

BY AND BETWEEN

THE UNITED STATES OF AMERICA, THE EMPIRE OF GERMANY, AND THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND.

PROVIDING FOR THE NEUTRALITY AND AUTONOMOUS GOVERNMENT OF THE SAMOAN ISLANDS.

---

*Concluded at Berlin June 14, 1889.*

*Ratification advised by the Senate February 4, 1890.*

*Ratified by the President February 21, 1890.*

*Ratifications exchanged at Berlin April 12, 1890.*

*Assented to by Samoa April 19, 1890.*

*Proclaimed May 21, 1890.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Whereas a General Act, providing for the neutrality and autonomous government of the Samoan Islands, was concluded and signed at the City of Berlin, on the fourteenth day of June, eighteen hundred and eighty-nine, by the Plenipotentiaries of the United States of America, of the Empire of Germany and of the United Kingdom of Great Britain and Ireland, the original of which General Act, being in the English language, is word for word as follows:

*The President of the United States of America, His Majesty the Emperor of Germany, King of Prussia, Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India,*

Wishing to provide for the security of the life, property and trade of the citizens and subjects of their respective Governments residing in, or having commercial relations with the Islands of Samoa; and desirous at the same time to avoid all occasions of dissension between their respective Governments and the Government and people of Samoa, while promoting as far as possible the peaceful and orderly civilization of the people of these Islands have resolved, in accordance with the invitation of the Imperial Government of Germany, to resume in Berlin the Conference of Their Plenipotentiaries

which was begun in Washington on June 25. 1887; and have named for Their present Plenipotentiaries the following:

The President of the United States of America:

Mr. John A. Kasson,

Mr. William Walter Phelps,

Mr. George H. Bates;

His Majesty the Emperor of Germany, King of Prussia:

Count Bismarck, Minister of State, Secretary of State for Foreign Affairs,

Baron von Holstein, Actual Privy Councillor of Legation,

Dr. Krauel, Privy Councillor of Legation;

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India:

Sir Edward Baldwin Malet, Her Majesty's Ambassador to the Emperor of Germany, King of Prussia,

Charles Stewart Scott Esquire, Her Majesty's Envoy Extraordinary and Minister Plenipotentiary to the Swiss Confederation,

Joseph Archer Crowe Esquire, Her Majesty's Commercial Attaché for Europe,

who, furnished with full powers which have been found in good and due form, have successively considered and adopted:

First; A Declaration respecting the independence and neutrality of the Islands of Samoa, and assuring to their respective citizens and subjects equality of rights in said Islands, and providing for the immediate restoration of peace and order therein.

Second; A Declaration respecting the modification of existing treaties, and the assent of the Samoan Government to this Act.

Third; A Declaration respecting the establishment of a Supreme Court of Justice for Samoa, and defining its jurisdiction.

Fourth; A Declaration respecting titles to land in Samoa, restraining the disposition thereof by natives, and providing for the investigation of claims thereto and for the registration of valid titles.

Fifth; A Declaration respecting the Municipal District of Apia, providing a local administration therefor and defining the jurisdiction of the Municipal Magistrate.

Sixth; A Declaration respecting taxation and revenue in Samoa.

Seventh; A Declaration respecting arms and ammunition, and intoxicating liquors, restraining their sale and use.

Eighth; General Dispositions.

#### ARTICLE I.

*A Declaration respecting the independence and neutrality of the Islands of Samoa, and assuring to the respective citizens and subjects of the Signatory Powers equality of rights in said Islands; and providing for the immediate restoration of peace and order therein.*

It is declared that the Islands of Samoa are neutral territory in which the citizens and subjects of the Three Signatory Powers have equal rights of resi-

dence, trade and personal protection. The Three Powers recognize the independence of the Samoan Government and the free right of the natives to elect their Chief or King and choose their form of Government according to their own laws and customs. Neither of the Powers shall exercise any separate control over the Islands or the Government thereof.

It is further declared, with a view to the prompt restoration of peace and good order in the said Islands, and in view of the difficulties which would surround an election in the present disordered condition of their Government, that Malietoa Laupepa, who was formerly made and appointed King on the 12<sup>th</sup> day of July 1881, and was so recognized by the Three Powers, shall again be so recognized hereafter in the exercise of such authority, unless the Three Powers shall by common accord otherwise declare; and his successor shall be duly elected according to the laws and customs of Samoa.

## ARTICLE II.

*A Declaration respecting the modification of existing treaties, and the assent of the Samoan Government to this Act.*

Considering that the following provisions of this General Act can not be fully effective without a modification of certain provisions of the treaties heretofore existing between the Three Powers, respectively, and the Government of Samoa, it is mutually declared that in every case where the provisions of this Act shall be inconsistent with any provision of such treaty or treaties, the provisions of this Act shall prevail.

Considering further, that the consent of the Samoan Government is requisite to the validity of the stipulations hereinafter contained, the Three Powers mutually agree to request the assent of the Samoan Government to the same, which, when given, shall be certified in writing to each of the Three Governments through the medium of their respective Consuls in Samoa.

## ARTICLE III.

*A Declaration respecting the establishment of a Supreme Court of Justice for Samoa and defining its jurisdiction.*

### Section 1.

A Supreme Court shall be established in Samoa to consist of one Judge, who shall be styled Chief Justice of Samoa, and who shall appoint a Clerk and a Marshal of the Court; and record shall be kept of all orders and decisions made by the Court, or by the Chief Justice in the discharge of any duties imposed on him under this Act. The Clerk and Marshal shall be allowed reasonable fees to be regulated by order of the Court.

### Section 2.

With a view to secure judicial independence and the equal consideration of the rights of all parties, irrespective of nationality, it is agreed that the Chief Justice shall be named by the Three Signatory Powers in common ac-

cord; or, failing their agreement, he may be named by the King of Sweden and Norway. He shall be learned in law and equity, of mature years, and of good repute for his sense of honour, impartiality and justice.

His decision upon questions within his jurisdiction shall be final. He shall be appointed by the Samoan Government upon the certificate of his nomination as herein provided. He shall receive an annual salary of six thousand dollars (\$6000<sup>00</sup>) in gold, or its equivalent, to be paid the first year in equal proportions by the Three Treaty Powers, and afterward out of the revenues of Samoa apportioned to the use of the Samoan Government, upon which his compensation shall be the first charge. Any deficiency therein shall be made good by the Three Powers in equal shares.

The powers of the Chief Justice, in case of a vacancy of that office from any cause, shall be exercised by the President of the Municipal Council, until a successor shall be duly appointed and qualified.

### Section 3.

In case either of the four Governments shall at any time have cause of complaint against the Chief Justice for any misconduct in office, such complaint shall be presented to the authority which nominated him, and, if in the judgment of such authority there is sufficient cause for his removal, he shall be removed. If the majority of the Three Treaty Powers so request, he shall be removed. In either case of removal, or in case the office shall become otherwise vacant, his successor shall be appointed as herein before provided.

### Section 4.

The Supreme Court shall have jurisdiction of all questions arising under the provisions of this General Act; and the decision or order of the Court thereon shall be conclusive upon all residents of Samoa. The Court shall also have appellate jurisdiction over all Municipal Magistrates and officers.

### Section 5.

The Chief Justice is authorized at his own discretion, and required upon written request of either party litigant, to appoint assessors, one of the nationality of each litigant, to assist the court, but without voice in the decision.

### Section 6.

In case any question shall hereafter arise in Samoa respecting the rightful election or appointment of King or of any other Chief claiming authority over the Islands; or respecting the validity of the powers which the King or any Chief may claim in the exercise of his office, such question shall not lead to war but shall be presented for decision to the Chief Justice of Samoa, who shall decide it in writing, conformably to the provisions of this Act and to the laws and customs of Samoa not in conflict therewith; and the Signatory Governments will accept and abide by such decision.

## Section 7.

In case any difference shall arise between either of the Treaty Powers and Samoa which they shall fail to adjust by mutual accord, such difference shall not be held cause for war, but shall be referred for adjustment on the principles of justice and equity to the Chief Justice of Samoa, who shall make his decision thereon in writing.

## Section 8.

The Chief Justice may recommend to the Government of Samoa the passage of any law which he shall consider just and expedient for the prevention and punishment of crime and for the promotion of good order in Samoa outside the Municipal District and for the collection of taxes without the District.

## Section 9.

Upon the organization of the Supreme Court there shall be transferred to its exclusive jurisdiction

1. All civil suits concerning real property situated in Samoa and all rights affecting the same.
2. All civil suits of any kind between natives and foreigners or between foreigners of different nationalities.
3. All crimes and offences committed by natives against foreigners or committed by such foreigners as are not subject to any consular jurisdiction; subject however to the provisions of section 4 Article V defining the jurisdiction of the Municipal Magistrate of the District of Apia.

## Section 10.

The practice and procedure of Common Law, Equity and Admiralty, as administered in the Courts of England, may be—so far as applicable—the practice and procedure of this Court; but the Court may modify such practice and procedure from time to time as shall be required by local circumstances. The Court shall have authority to impose, according to the crime, the punishment established therefor by the laws of the United States, of England, or of Germany, as the Chief Justice shall decide most appropriate; or, in the case of Native Samoans and other Natives of the South Sea Islands, according to the laws and customs of Samoa.

## Section 11.

Nothing in this article shall be so construed as to affect existing consular jurisdiction over all questions arising between masters and seamen of their respective national vessels; nor shall the Court take any ex post facto or retroactive jurisdiction over crimes or offences committed prior to the organization of the Court.

## ARTICLE IV.

*A Declaration respecting titles to land in Samoa and restraining the disposition thereof by natives; and providing for the investigation of claims thereto, and for the registration of valid titles.*

## Section 1.

In order that the native Samoans may keep their lands for cultivation by themselves and by their children after them, it is declared that all future alienation of lands in the Islands of Samoa to the citizens or subjects of any foreign country, whether by sale, mortgage or otherwise shall be prohibited, subject to the following exceptions:

- (a) Town lots and lands within the limits of the Municipal District as defined in this Act may be sold or leased by the owner for a just consideration when approved in writing by the Chief Justice of Samoa;
- (b) Agricultural lands in the Islands may be leased for a just consideration and with carefully defined boundaries for a term not exceeding forty (40) years when such lease is approved in writing by the Chief Executive Authority of Samoa and by the Chief Justice.

But care should be taken that the agricultural lands and natural fruit lands of Samoans shall not be unduly diminished.

## Section 2.

In order to adjust and settle all claims by aliens of titles to land or any interest therein in the Islands of Samoa, it is declared that a Commission shall be appointed to consist of three (3) impartial and competent persons, one to be named by each of the Three Treaty Powers; to be assisted by an officer to be styled "Natives' Advocate", who shall be appointed by the Chief-Executive of Samoa with the approval of the Chief Justice of Samoa.

Each Commissioner shall receive during his necessary term of service, a compensation at the rate of three hundred dollars per month and his reasonable fare to and from Samoa. The reasonable and necessary expenses of the Commission for taking evidence and making surveys (such expenses to be approved by the Chief Justice) shall also be paid, one third by each of the Treaty Powers.

The compensation of the Natives' Advocate shall be fixed and paid by the Samoan Government.

Each Commissioner shall be governed by the provisions of this Act; and shall make and subscribe an oath before the Chief Justice that he will faithfully and impartially perform his duty as such Commissioner.

## Section 3.

It shall be the duty of this Commission, immediately upon their organization, to give public notice that all claims on the part of any foreigner to any title or interest in lands in Samoa must be presented to them, with due description of such claim and all written evidence thereof, within four months from such notice for the purpose of examination and registration; and that



all claims not so presented will be held invalid and forever barred; but the Chief Justice may allow a reasonable extension of time for the production of such evidence when satisfied that the claimant has after due diligence been unable to produce the same within the period aforesaid. This notice shall be published in Samoa in the German, English and Samoan Languages as directed by the Commission.

The labours of the Commission shall be closed in two years, and sooner if practicable.

#### Section 4.

It shall be the duty of the Commission to investigate all claims of foreigners to land in Samoa, whether acquired from natives or from aliens, and to report to the Court in every case the character and description of the claim, the consideration paid, the kind of title alleged to be conveyed, and all the circumstances affecting its validity.

They shall especially report

- (a) whether the sale or disposition was made by the rightful owner or native entitled to make it.
- (b) Whether it was for a sufficient consideration.
- (c) The identification of the property affected by such sale or disposition.

#### Section 5.

The Commission whenever the case requires it shall endeavour to effect a just and equitable compromise between litigants. They shall also report to the Court whether the alleged title should be recognized and registered or rejected, in whole or in part, as the case may require.

#### Section 6.

All disputed claims to land in Samoa shall be reported by the Commission to the Court, together with all the evidence affecting their validity; and the Court shall make final decision thereon in writing, which shall be entered on its record.

Undisputed claims and such as shall be decided valid by the unanimous voice of the Commission shall be confirmed by the Court in proper form in writing, and be entered of record.

#### Section 7.

The Court shall make provision for a complete registry of all valid titles to land in the Islands of Samoa which are or may be owned by foreigners.

#### Section 8.

All lands acquired before the 28<sup>th</sup> day of August 1879—being the date of the Anglo-Samoan Treaty—shall be held as validly acquired,—but without prejudice to rights of third parties,—if purchased from Samoans in good faith, for a valuable consideration, in a regular and customary manner. Any dispute as to the fact or regularity of such sale shall be examined and deter-

mined by the Commission, subject to the revision and confirmation of the Court.

#### Section 9.

The undisputed possession and continuous cultivation of lands by aliens for ten years or more, shall constitute a valid title by prescription to the lands so cultivated, and an order for the registration of the title thereto may be made.

#### Section 10.

In cases where land acquired in good faith has been improved or cultivated upon a title which is found to be defective, the title may be confirmed in whole or in part upon the payment by the occupant to the person or persons entitled thereto of an additional sum to be ascertained by the Commission and approved by the Court as equitable and just.

#### Section 11.

All claims to land, or to any interest therein, shall be rejected and held invalid in the following cases:

- (a) Claims based upon mere promises to sell, or options to buy.
- (b) Where the deed, mortgage or other conveyance contained at the time it was signed no description of the land conveyed sufficiently accurate to enable the Commission to define the boundaries thereof.
- (c) Where no consideration is expressed in the conveyance, or if expressed has not been paid in full to the grantor, or if the consideration at the time of the conveyance was manifestly inadequate and unreasonable.
- (d) Where the conveyance whether sale, mortgage or lease was made upon the consideration of a sale of firearms or munitions of war, or upon the consideration of intoxicating liquors, contrary to the Samoan law of October 25. 1880, or contrary to the Municipal regulations of January 1. 1880.

#### Section 12.

The Land Commission may at its discretion through the Local Government of the District in which the disputed land is situated appoint a native Commission to determine the native grantor's right of ownership and sale; and the result of that investigation, together with all other facts pertinent to the question of validity of title, shall be laid before the Commission to be by them reported to the Court.

#### ARTICLE V.

*A Declaration respecting the Municipal District of Apia, providing a local administration therefor, and defining the jurisdiction of the Municipal Magistrate.*

#### Section 1.

The Municipal District of Apia is defined as follows: beginning at Vailoa, the boundary passes thence westward along the coast to the mouth

of the River Fuluasa; thence following the course of the river upwards to the point at which the Alafuala road crosses said river; thence following the line of said road to the point where it reaches the River Vaisinago; and thence in a straight line to the point of beginning at Vailoa—embracing also the waters of the Harbour of Apia.

## Section 2.

Within the aforesaid District shall be established a Municipal Council, consisting of six members and a President of the Council, who shall also have a vote.

Each member of the Council shall be a resident of the said District and owner of real estate or conductor of a profession or business in said District which is subject to a rate or tax not less in amount than \$5 per ann.

For the purpose of the election of members of the Council, the said District shall be divided into two, or three, electoral districts from each of which an equal number of Councillors shall be elected by the taxpayers thereof qualified as aforesaid, and the members elected from each electoral district shall have resided therein for at least six months prior to their election.

It shall be the duty of the Consular Representatives of the three Treaty Powers to make the said division into electoral districts as soon as practicable after the signing of this Act. In case they fail to agree thereon, the Chief Justice shall define the electoral districts. Subsequent changes in the number of Councillors or the number and location of electoral districts may be provided for by municipal ordinance.

The Councillors shall hold their appointment for a term of two years and until their successors shall be elected and qualified.

In the absence of the President the Council may elect a Chairman "pro tempore".

Consular Officers shall not be eligible as Councillors, nor shall Councillors exercise any Consular functions during their term of office.

## Section 3.

The Municipal Council shall have jurisdiction over the Municipal District of Apia so far as necessary to enforce therein the provisions of this Act which are applicable to said District, including the appointment of a Municipal Magistrate and of the necessary subordinate officers of justice and of administration therein; and to provide for the security in said District of person and property, for the assessment and collection of the revenues therein as herein authorized; and to provide proper fines and penalties for the violation of the laws and ordinances which shall be in force in said District and not in conflict with this Act, including sanitary and police regulations. They shall establish pilot charges, port dues, quarantine and other regulations of the port of Apia, and may establish a local postal system. They shall also fix the salary of the Municipal Magistrate and establish the fees

and charges allowed to other civil officers of the District, excepting Clerk and Marshal of the Supreme Court.

All ordinances, resolutions and regulations passed by this Council before becoming law shall be referred to the Consular Representatives of the Three Treaty Powers sitting conjointly as a Consular Board, who shall either approve and return such regulations or suggest such amendments as may be unanimously deemed necessary by them.

Should the Consular Board not be unanimous in approving the regulations referred to them, or should the amendments unanimously suggested by the Consular Board not be accepted by a majority of the Municipal Council, then the regulations in question shall be referred for modification and final approval to the Chief Justice of Samoa.

#### Section 4.

The Municipal Magistrate shall have exclusive jurisdiction in the first instance over all persons irrespective of nationality in case of infraction of any law, ordinance, or regulation passed by the Municipal Council in accordance with the provisions of this Act, provided that the penalty does not exceed a fine of two hundred dollars or imprisonment for a longer term than 180 days.

In cases where the penalty imposed by the Municipal Magistrate shall exceed a fine of twenty dollars or a term of ten days imprisonment an appeal may be taken to the Supreme Court.

#### Section 5.

The President of the Municipal Council shall be a man of mature years, and of good reputation for honour, justice and impartiality. He shall be agreed upon by the Three Powers; or, failing such agreement, he shall be selected from the nationality of Sweden, The Netherlands, Switzerland, Mexico or Brazil, and nominated by the Chief-Executive of the nation from which he is selected, and appointed by the Samoan Government upon certificate of such nomination.

He may act under the joint instruction of the Three Powers, but shall receive no separate instruction from either. He shall be guided by the spirit and provisions of this General Act, and shall apply himself to the promotion of the peace, good order and civilization of Samoa. He may advise the Samoan Government when occasion requires, and shall give such advice when requested by the King, but always in accordance with the provisions of this Act, and not to the prejudice of the rights of either of the Treaty Powers.

He shall receive an annual compensation of five thousand dollars (\$5000<sup>00</sup>), to be paid the first year in equal shares by the Three Treaty Powers, and afterward out of that portion of Samoan revenues assigned to the use of the Municipality, upon which his salary shall be the first charge.

He shall be the Receiver and Custodian of the revenues accruing under the provisions of this Act, and shall render quarterly reports of his receipts and disbursements to the King, and to the Municipal Council.

He shall superintend the Harbour and Quarantine regulations, and shall, as the chief executive officer be in charge of the administration of the laws and ordinances applicable to the Municipal District of Apia.

#### Section 6.

The Chief Justice shall, immediately after assuming the duties of his office in Samoa, make the proper order or orders for the election and inauguration of the local government of the Municipal District, under the provisions of this Act. Each Member of the Municipal Council, including the President, shall, before entering upon his functions, make and subscribe before the Chief Justice an oath, or affirmation that he will well and faithfully perform the duties of his office.

### ARTICLE VI.

#### *A Declaration respecting Taxation and Revenue in Samoa.*

#### Section 1.

The Port of Apia shall be the port of entry for all dutiable goods arriving in the Samoan Islands; and all foreign goods, wares and merchandize landed on the Islands shall be there entered for examination: but coal and naval stores which either Government has by treaty reserved the right to land at any harbour stipulated for that purpose are not dutiable when imported as authorized by such treaty, and may be there landed as stipulated without such entry or examination.

#### Section 2.

To enable the Samoan Government to obtain the necessary revenue for the maintenance of government and good order in the Islands, the following duties, taxes and charges may be levied and collected, without prejudice to the right of the native government to levy and collect other taxes in its discretion upon the natives of the Islands and their property, and with the consent of the Consuls of the Signatory Powers upon all property outside the Municipal District, provided such tax shall bear uniformly upon the same class of property, whether owned by natives or foreigners.

#### A. Import Duties.

	Doll. c.
1. On Ale and Porter and Beer per dozen quarts.....	— .50
2. On Spirits, per Gallon.....	2.50
3. On Wine except sparkling, per Gallon.....	1.—
4. On Sparkling Wines per Gallon.....	1.50
5. On Tobacco per lb.....	— .50
6. On Cigars per lb .....	1.—
7. On Sporting arms, each.....	4.—
8. On Gunpowder per lb.....	— .25
9. Statistical duty on all merchandize and goods imported, except as aforesaid, ad valorem.....	2 p. c.

## B. Export Duties.

on copra	} ad valorem.....	{	2½ p. c.
on cotton			1½ p. c.
on coffee			2 p. c.

## C. Taxes to be annually levied.

	Doll. c.
1. Capitation tax on Samoans and other Pacific Islanders not included under No. 2, per head.....	1.—
2. Capitation tax on coloured plantation labourers, other than Samoans, per head.....	2.—
3. On boats, trading and others (excluding native canoes and native boats carrying only the owner's property) each.....	4.—
4. On firearms, each.....	2.—
5. On dwelling houses (not including the dwelling houses of Samoan natives) and on land and houses used for commercial purposes, ad valorem.....	1 p. c.
6. Special taxes on traders as follows:	
Class I.	Doll. c.
On stores of which the monthly sales are \$2000 or more, each store.....	100.—
Class II.	
Below \$2000 and not less than \$1000.....	48.—
Class III.	
Below \$1000 and not less than \$500.....	36.—
Class IV.	
Below \$500 and not less than \$250.....	24.—
Class V.	
Below \$250.....	12.—

## D. Occasional taxes. \*

1. On trading vessels exceeding 100 tons burden, calling at Apia, at each call.....	10.—
2. Upon deeds of real estate, to be paid before registration thereof can be made, and, without payment of which, title shall not be held valid, upon the value of the consideration paid....	½ p. c.
3. Upon other written transfers of property, upon the selling price .....	1 p. c.
Evidence of the payment of the last two taxes may be shown by lawful stamps affixed to the title paper, or otherwise by the written receipt of the proper tax collector.	
4. Unlicensed butchers in Apia shall pay upon their sales.....	1 p. c.

## E. License taxes.

No person shall engage as proprietor or manager in any of the following professions or occupations except after having obtained a License therefor, and for such License the following tax shall be paid in advance:

	Doll.	
Tavern Keeper.....	10	per month.
Attorney, barrister or Solicitor.....	60	per annum.
Doctor of Medicine or dentistry.....	30	“ “
Auctioneer or commission agent.....	40	“ “
Baker .....	12	“ “
Banks or companies for banking.....	60	“ “
Barber.....	6	“ “
Blacksmith.....	5	“ “
Boat Builder .....	6	“ “
Butcher.....	12	“ “
Cargo-boat or lighter.....	6	“ “
Carpenter.....	6	“ “
Photographer or Artist.....	12	“ “
Engineer .....	12	“ “
“ assistants.....	6	“ “
“ apprentices.....	3	“ “
Hawker .....	1	“ “
Pilot .....	24	“ “
Printing press.....	12	“ “
Sail maker.....	6	“ “
Ship builder.....	6	“ “
Shoemaker.....	6	“ “
Land Surveyor.....	6	“ “
Tailor.....	6	“ “
Waterman.....	6	“ “
Salesmen, bookkeepers, clerks, paid not less than \$75 a month.....	3	“ “
Same when paid over \$75 a month.....	6	“ “
White labourers and domestics per head.....	5	“ “
Factory hands and independent workmen.....	5	“ “

## Section 3.

Of the revenues paid into the Treasury the proceeds of the Samoan capitation tax, of the license taxes paid by native Samoans, and of all other taxes which may be collected without the Municipal District, shall be for the use and paid out upon the order of the Samoan Government. The proceeds of the other taxes, which are collected in the Municipal District exclusively, shall be held for the use and paid out upon the order of the Municipal Council to meet the expenses of the Municipal Administration as provided by this Act.

## Section 4.

It is understood that "Dollars" and "Cents", terms of money used in this Act, describe the standard money of the United States of America, or its equivalent in other currencies.

## ARTICLE VII.

*A declaration respecting arms and ammunition, and intoxicating liquors, restraining their sale and use.*

## Section 1.

## Arms and ammunition.

The importation into the Islands of Samoa of arms and ammunition by the natives of Samoa, or by the citizens or subjects of any foreign country, shall be prohibited except in the following cases:

- (a) Guns and ammunition for sporting purposes, for which written license shall have been previously obtained from the President of the Municipal Council.
- (b) Small arms and ammunition carried by travellers as personal appanage.

The sale of arms and ammunition by any foreigner to any native Samoan subject or other Pacific Islander resident in Samoa is also prohibited.

Any arms or ammunition imported or sold in violation of these provisions shall be forfeited to the Government of Samoa. The Samoan Government retains the right to import suitable arms and ammunition to protect itself and maintain order; but all such arms and ammunition shall be entered at the Customs (without payment of duty) and reported by the President of the Municipal Council to the Consuls of the Three Treaty Powers.

The Three Governments reserve to themselves the future consideration of the further restrictions which it may be necessary to impose upon the importation and use of firearms in Samoa.

## Section 2.

## Intoxicating Liquors.

No spirituous, vinous or fermented liquors, or intoxicating drinks whatever, shall be sold, given or offered to any native Samoan, or South Sea Islander resident in Samoa, to be taken as a beverage.

Adequate penalties, including imprisonment, for the violation of the provisions of this Article shall be established by the Municipal Council for application within its jurisdiction; and by the Samoan Government for all the Islands.

## ARTICLE VIII.

*General Dispositions.*

## Section 1.



years from the signature hereof, the Powers shall consider by common accord what ameliorations, if any, may be introduced into the provisions of this General Act. In the meantime any special amendment may be adopted by the consent of the Three Powers with the adherence of Samoa.

#### Section 2.

The present General Act shall be ratified without unnecessary delay, and within the term of ten months from the date of its signature.

In the meantime the Signatory Powers respectively engage themselves to adopt no measure which may be contrary to the dispositions of the said Act.

Each Power further engages itself to give effect in the meantime to all provisions of this Act which may be within its authority prior to the final ratification.

Ratifications shall be exchanged by the usual diplomatic channels of communication.

The assent of Samoa to this General Act shall be attested by a certificate thereof signed by the King and executed in triplicate, of which one copy shall be delivered to the Consul of each of the Signatory Powers at Apia for immediate transmission to his Government.

Done in triplicate at Berlin this fourteenth day of June one thousand eight hundred and eighty nine.

JOHN A : KASSON  
WM. WALTER PHELPS.  
GEO. H. BATES  
H. BISMARCK  
HOLSTEIN.  
R KRAUEL.  
EDWARD B MALET  
CHARLES S: SCOTT  
J. A. CROWE

And whereas the said General Act has been duly ratified by the Governments of the Signatory Powers and the respective ratifications of the same were deposited in the archives of the Imperial German Government, at the City of Berlin, on the 12<sup>th</sup> day of April, one thousand, eight hundred and ninety;

And whereas the Government of Samoa has assented to the said General Act, as is attested by a certificate signed in triplicate at Apia on the 19<sup>th</sup> day of April one thousand eight hundred and ninety by His Majesty Malietoa, King of Samoa;

Now, therefore, be it known that I, BENJAMIN HARRISON, President of the United States of America, have caused the

said General Act to be made public, to the end that the same, and every article and clause thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this 21<sup>st</sup> day of May,  
 [SEAL.] in the year of our Lord one thousand eight hundred and ninety and of the Independence of the United States the one hundred and fourteenth.

BENJ HARRISON

By the President :

JAMES G. BLAINE

*Secretary of State.*

AGREEMENT BY EXCHANGE OF NOTES

BETWEEN THE

ENVOY EXTRAORDINARY AND MINISTER PLENI-  
POTENTIARY OF THE UNITED STATES AT MAD-  
RID AND THE MINISTER OF STATE OF SPAIN.

---

MODUS VIVENDI PROVIDING RECIPROCAL OBSERVANCE OF THE MOST-  
FAVORED-NATION PRIVILEGES RESPECTING CUSTOMS DUTIES IN THE  
PORTS OF THE UNITED STATES AND IN THOSE OF CUBA AND PUERTO  
RICO, WITH EXECUTORY DECREE.

---

*Note of the Minister of State, January 10, 1895.*

*Note of the United States Minister, January 11, 1895.*

*Executory Decree, February 4, 1895.*

---

MINISTERIO DE ESTADO,  
*Palacio 10 de Enero de 1895.*

EXCMO. SEÑOR:—He tenido la honra de recibir la nota de V. E., fecha 7 del actual, en que se sirve comunicarme la favorable acogida que el Gobierno de los Estados Unidos ha dispensado á las proposiciones del de S. M. para la celebracion de un *Modus-vivendi* que regule las relaciones comerciales entre las Islas de Cuba y Puerto Rico y los Estados Unidos hasta tanto que pueda llegarse á la conclusion de un Tratado definitivo de comercio.

De acuerdo, pues, con las declaraciones hechas á V. E. y aceptadas por su Gobierno, tengo el honor de manifestarle que el de S. M. está dispuesto á aplicar á los productos de los Estados Unidos en las Islas de Cuba y Puerto Rico los derechos de la segunda columna de los Aranceles vigentes siempre que el Gobierno de la Union conceda á los productos de dichas islas el trato de la Nacion mas favorecida; quedando ademas entendido que en ningun caso los productos americanos en Cuba y Puerto Rico ó los españoles en los Estados de la Union podrán estar sujetos á un régimen diferencial respecto á los de los otros paises.

Este *modus-vivendi* regirá hasta la conclusion de un Tratado definitivo entre ambas Partes interesadas ó hasta que una de ellas notifique á la otra con tres meses de anticipacion la fecha en que desee darlo por terminado.

El gobierno de S. M. solicitará de las Cortes la autorizacion legislativa necesaria para poner en vigor dentro del mas breve plazo posible el régimen provisional que queda estipulado.

Aprovecho esta oportunidad para reiterar á V. E. las seguridades de mi mas distinguida consideracion.

ALEJANDRO GROIZARD.

Señor MINISTRO DE LOS ESTADOS UNIDOS.

---

[Translation.]

MINISTRY OF STATE,  
Palace, January 10, 1895.

EXCELLENCY:—I have had the honor to receive your note of the 7th instant, in which you were pleased to communicate to me the favorable reception which the Government of the United States has given to the propositions of that of His Majesty for the execution of a *modus vivendi* which may regulate the commercial relations between the Islands of Cuba and Puerto Rico and the United States until such time as a definitive treaty of commerce may be concluded.

In accordance therefore with the declarations made to you and accepted by your Government, I have the honor to inform you that that of His Majesty is disposed to apply to the products of the United States in the Islands of Cuba and Puerto Rico, the duties of the second column of the tariff now in force as long as the Government of the Union concedes to the products of said Islands the most favored nation treatment, it being understood that in no case shall American products in Cuba and Puerto Rico or Spanish products in the United States, be subjected to a differential treatment in respect to those of other countries.

This *modus vivendi* shall remain in force until the conclusion of a definitive treaty between the parties interested or until one of them shall give to the other three months notice of the date upon which it is desired to terminate it.

The Government of His Majesty will ask of the Cortes the legislative authority necessary to put in vigor in the shortest time possible the provisional arrangement agreed upon.

I approve this opportunity to reiterate to Your Excellency the assurances of my most distinguished consideration.

ALEJANDRO GROIZARD.

The MINISTER OF THE UNITED STATES.

---

LEGATION OF THE UNITED STATES OF AMERICA,  
Madrid, January 11, 1895.

EXCELLENCY: I have the honor to acknowledge the receipt of your note of the 10th instant, in reply to mine of the 7th instant, in which I took occasion to present to you a telegram from my Government saying that the President, appreciating the friendly disposition manifested by your proposals, will refrain from exercising the power of discrimination or exclusion against the products of Cuba and Puerto Rico so long as Spain accords most favored nation treatment to American products in those islands. In reply to my note you are now good enough to reas-

that of His Majesty will apply to American products only the duties imposed by the second column of the tariff in force in Cuba and Puerto Rico,—that column being applied, as you have assured me, to all nations which now receive from Spain in those islands the most favored nation treatment.

The necessary meaning of this agreement, as you have correctly expressed it not only in your note but in your conversations with me, is that both nations may make subsequent tariff changes without prejudice to the agreement, provided by such changes neither discriminates against the other.

In the event that either party desires to determine the agreement three months notice of such intention is to be given beforehand.

Hoping to be informed by you at a very early day of the consummation of the necessary acts upon the part of the Cortes, I seize this opportunity to renew to Your Excellency the assurance of my most distinguished consideration.

HANNIS TAYLOR.

His Excellency, ALEJANDRO GROIZARD,  
etc., etc., etc.

---

[Extract from the "Gaceta de Madrid," of February 6th, 1895.]

## MINISTERIO DE ESTADO.

### LEY.

DON ALFONSO XIII, por la gracia de Dios y la Constitución REY de España, y en su nombre y durante su menor edad la REINA Regente del Reino;

A todos los que la presente vieren y entendieren, sabed: que las Cortes han decretado y Nos sancionado lo siguiente:

ARTÍCULO ÚNICO. Se autoriza al Gobierno para aplicar á los productos y manufacturas de los Estados Unidos que, procedentes de los puertos de dichos Estados, sean admitidos en los de Cuba y Puerto Rico, la tarifa segunda de los Aranceles vigentes en ellas, á cambio de que los Estados Unidos apliquen sus tarifas más reducidas á los productos del suelo y de la industria de Cuba y Puerto Rico.

Este *modus vivendi* regirá mientras no se celebre un Tratado definitivo entre ambas partes interesadas, ó hasta que una de ellas anuncie con tres meses de anticipación el día en que desea ponerle término.

Por tanto:

Mandamos á todos los Tribunales, Justicias, Jefes, Gobernadores y demás Autoridades, así civiles como militares y eclesiásticas, de cualquier clase y dignidad, que guarden y hagan guardar, cumplir y ejecutar la presente ley en todas sus partes.

Dado en Palacio á cuatro de Febrero de mil ochocientos noventa y cinco.

YO LA REINA REGENTE.

El Ministro de Estado,  
ALEJANDRO GROIZARD.

## MINISTRY OF STATE.

## LAW

Don Alfonso XIII, by the grace of God and the Constitution King of Spain, and in his name and during his minority the Queen Regent of the Kingdom;

To all whom these presents shall come or may concern, take notice that the Cortes have decreed and We have sanctioned the following:

ARTICLE 1. The Government is authorized to apply to the products and manufactures of the United States, which proceeding from the ports of said States may be admitted into those of Cuba and Puerto Rico,—the second column of the Tariff in force in those Islands, in exchange for which the United States will apply its lowest tariff rates to the products of the soil and to those of the industry of Cuba and Puerto Rico.

This *modus vivendi* shall prevail until the execution of a definitive Treaty between the two parties interested, or until one of them gives notice, three months in advance, of the day upon which it desires to put an end to it.

Therefore:

We command all Tribunals, Justices, Chiefs, Governors, and all other Authorities, civil as well as military and ecclesiastical, of every class and rank, to keep and make the present law to be kept, fulfilled and obeyed in all its parts.

Given in the Palace on the 4th of February, 1895.

I THE QUEEN REGENT.

The Minister of State:

ALEJANDRO GROIZARD.

# TREATY

BETWEEN

## THE UNITED STATES OF AMERICA AND THE KINGDOM OF SWEDEN

FOR THE EXTRADITION OF CRIMINALS.

---

*Signed at Washington January 14, 1893.*

*Ratification advised by the Senate February 2, 1893.*

*Ratified by the President February 8, 1893.*

*Ratified by the King February 10, 1893.*

*Ratifications exchanged at Washington March 18, 1893.*

*Proclaimed March 18, 1893.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION

Whereas, a Treaty between the United States and Sweden for the extradition of criminals was concluded and signed by their respective plenipotentiaries at the city of Washington, on the fourteenth day of January, in the year one thousand eight hundred and ninety-three, which Treaty is word for word as follows :

*Treaty between the United States of America and Sweden for the extradition of criminals.*

The United States of America and His Majesty the King of Sweden and Norway, being desirous to confirm their friendly relations and to promote the cause of justice, have resolved to conclude a new treaty for the extradition of fugitives from justice between the United States of America and the Kingdom of Sweden, and have appointed for that purpose the following Plenipotentiaries :

The President of the United States of America, John W. Foster, Secretary of State of the United States; and

His Majesty the King of Sweden and Norway, J. A. W. Grip, His Majesty's Envoy Extraordinary and Minister Plenipotentiary to the United States;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following articles:

#### ARTICLE I.

The Government of the United States and the Government of Sweden mutually agree to deliver up persons who, having been charged with or convicted of any of the crimes and offenses specified in the following article, committed within the jurisdiction of one of the contracting parties, shall seek an asylum or be found within the territories of the other: *Provided*, that this shall only be done upon such evidence of criminality as, according to the laws of the place where the fugitive or person so charged shall be found, would justify his or her apprehension and commitment for trial, if the crime or offense had been there committed.

#### ARTICLE II.

Extradition shall be granted for the following crimes and offenses:

1. Murder, comprehending assassination, parricide, infanticide and poisoning; attempt to commit murder; the killing of a human being, when such act is punishable in the United States as voluntary manslaughter, and in Sweden as manslaughter.

2. Arson.

3. Robbery, defined to be the act of feloniously and forcibly taking from the person of another money or goods, by violence or putting him in fear; burglary; also house-breaking or shop-breaking.

4. Forgery, or the utterance of forged papers; the forgery or falsification of official acts of government, of public authorities, or of courts of justice, or the utterance of the thing forged or falsified.

5. The counterfeiting, falsifying or altering of money, whether coin or paper, or of instruments of debt created by national, state, provincial, or municipal governments, or of coupons thereof, or of bank-notes, or the utterance or circulation of the same; or the counterfeiting, falsifying or altering of seals of state.

6. Embezzlement by public officers; embezzlement by persons hired or salaried, to the detriment of their employers; larceny; obtaining money, valuable securities or other property by false pretenses, or receiving money, valuable securities or other property knowing the same to have been embezzled, stolen or fraudulently obtained, when such act is made criminal by the laws of both countries and the amount of money or the value of the property fraudulently obtained or received is not less than \$200 or kronor 740.

7. Fraud or breach of trust by a bailee, banker, agent, factor, trustee or other person acting in a fiduciary capacity, or director or member or officer of any company, when such act is made criminal by the laws of both countries and the amount of money or the value of the property misappropriated is not less than \$200 or kronor 740.



9. Rape; abduction; kidnapping.
10. Willful and unlawful destruction or obstruction of railroads which endangers human life.
11. Crimes committed at sea:
  - a. Piracy, by statute or by the law of nations;
  - b. Revolt, or conspiracy to revolt, by two or more persons on board a ship on the high seas, against the authority of the master;
  - c. Wrongfully sinking or destroying a vessel at sea, or attempting to do so;
  - d. Assaults on board a ship on the high seas with intent to do grievous bodily harm.
12. Crimes and offenses against the laws of both countries for the suppression of slavery and slave trading.

Extradition is also to take place for participation in any of the crimes and offenses mentioned in this treaty, provided such participation may be punished, in the United States as a felony, and in Sweden by imprisonment at hard labor.

### ARTICLE III.

Requisitions for the surrender of fugitives from justice shall be made by the diplomatic agents of the contracting parties, or in the absence of these from the country or its seat of government, may be made by the superior consular officers.

If the person whose extradition is requested shall have been convicted of a crime or offense, a duly authenticated copy of the sentence of the court in which he was convicted, or if the fugitive is merely charged with crime, a duly authenticated copy of the warrant of arrest in the country where the crime has been committed, and of the depositions or other evidence upon which such warrant was issued, shall be produced.

The extradition of fugitives under the provisions of this Treaty shall be carried out in the United States and Sweden, respectively, in conformity with the laws regulating extradition for the time being in force in the state on which the demand for surrender is made.

### ARTICLE IV.

Where the arrest and detention of a fugitive are desired on telegraphic or other information in advance of the presentation of formal proofs, the proper course in the United States shall be to apply to the judge or other magistrate authorized to issue warrants of arrest in extradition cases, and present a complaint on oath, as provided by the statutes of the United States.

In the Kingdom of Sweden the proper course shall be to apply to the Foreign Office, which will immediately cause the necessary steps to be taken in order to secure the provisional arrest and detention of the fugitive.

The provisional detention of a fugitive shall cease and the prisoner be released, if a formal requisition for his surrender, accompanied by the neces-

sary evidence of his criminality, has not been produced, under the stipulations of this Treaty, within two months from the date of his provisional arrest or detention.

#### ARTICLE V.

Neither of the contracting parties shall be bound to deliver up its own citizens or subjects under the stipulations of this Treaty.

#### ARTICLE VI.

A fugitive criminal shall not be surrendered if the offense in respect of which his surrender is demanded be of a political character, or if he proves that the requisition for his surrender has, in fact, been made with a view to try or punish him for an offense of a political character.

No person surrendered by either of the high contracting parties to the other shall be triable or tried or be punished for any political crime or offense, or for any act connected therewith, committed previously to his extradition.

If any question shall arise as to whether a case comes within the provisions of this article, the decision of the authorities of the government on which the demand for surrender is made, or which may have granted the extradition shall be final.

#### ARTICLE VII.

Extradition shall not be granted, in pursuance of the provisions of this Treaty, if legal proceedings or the enforcement of the penalty for the act committed by the person claimed has become barred by limitation, according to the laws of the country to which the requisition is addressed.

#### ARTICLE VIII.

No person surrendered by either of the high contracting parties to the other shall, without his consent, freely granted and publicly declared by him, be triable or tried or be punished for any crime or offense committed prior to his extradition, other than that for which he was delivered up, until he shall have had an opportunity of returning to the country from which he was surrendered.

#### ARTICLE IX.

All articles seized which are in the possession of the person to be surrendered at the time of his apprehension, whether being the proceeds of the crime or offense charged, or being material as evidence in making proof of the crime or offense, shall, so far as practicable and in conformity with the laws of the respective countries, be given up when the extradition takes place. Nevertheless, the rights of third parties with regard to such articles shall be duly respected.

#### ARTICLE X.

If the individual claimed by one of the high contracting parties, in pur-

powers on account of crimes or offenses committed within their respective jurisdictions, his extradition shall be granted to the state whose demand is first received: Provided, that the government from which extradition is sought is not bound by Treaty to give preference otherwise.

#### ARTICLE XI.

The expenses incurred in the arrest, detention, examination and delivery of fugitives under this Treaty shall be borne by the state in whose name the extradition is sought: Provided, that the demanding government shall not be compelled to bear any expense for the services of such public officers of the government from which extradition is sought as receive a fixed salary; and, Provided, that the charge for the services of such public officers as receive only fees or perquisites shall not exceed their customary fees for the acts or services performed by them had such acts or services been performed in ordinary criminal proceedings under the laws of the country of which they are officers.

#### ARTICLE XII.

The present treaty shall take effect on the thirtieth day after the date of the exchange of ratifications, and shall not operate retroactively. On the day on which it takes effect the convention of March 21st 1860, shall, as between the Governments of the United States and of Sweden cease to be in force except as to crimes therein enumerated and committed prior to that day.

The ratifications of the present Treaty shall be exchanged at Washington as soon as possible, and it shall remain in force for a period of six months after either of the contracting Governments shall have given notice of a purpose to terminate it.

In witness whereof the respective Plenipotentiaries have signed the above articles and have hereunto affixed their seals.

Done in duplicate at the city of Washington this fourteenth day of January, one thousand eight hundred and ninety-three.

JOHN W. FOSTER. [SEAL.]

J. A. W. GRIP. [SEAL.]

And whereas the said Treaty has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the City of Washington on the 18th day of March, one thousand eight hundred and ninety-three;

Now, therefore, be it known that I, GROVER CLEVELAND, President of the United States of America, have caused the said Treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 18th. day of March,  
in the year of our Lord one thousand eight hun-  
[SEAL.] dred and ninety-three, and of the Independence of  
the United States the one hundred and seventeenth.

GROVER CLEVELAND

By the President:

W. Q. GRESHAM

*Secretary of State.*





## EXCHANGE OF NOTES

BETWEEN

THE SWISS LEGATION AND THE DEPARTMENT OF STATE.

---

*Dated April 27, 1883, and May 14, 1883.*

---

SWISS LEGATION,  
*Washington, April 27, 1883.*

*To the Ministry of Foreign Affairs,  
Washington.*

MR. SECRETARY OF STATE: The undersigned, Minister of the Swiss Confederation, has this day had the honor to receive your note of the 24th instant, whereby you had the kindness to acquaint him with your views concerning an exchange of declarations between the United States and the Swiss Confederation, relative to the mutual protection of trade marks.

The undersigned sees by the aforesaid note that you would prefer to make such an arrangement between the United States and Switzerland in the form of an exchange of notes, inasmuch as that form appears to you to be the most simple, and the best calculated to avoid the difficulties connected with the ratification of a declaration or a convention.

The undersigned has the honor to reply that, for his part, he attaches no special importance to the form of the arrangement, and that he thinks he may say that his Government likewise favors the method proposed by you. In fact, the undersigned, by a communication of the 6th of March last, laid before the Federal Council the text of your note of the 5th of that month, and, at the same time, he proposed to try an exchange of declarations, which, as regards the form, would coincide with your views. The Federal Council having consented thereto by its communication of March 30th, and having instructed the undersigned, with full powers, to make such an arrangement, the undersigned thinks that he represents the intentions of his Government by giving his adhesion to an exchange of notes.

As regards the question whether the principle of reciprocity is embodied in the Federal law of December 19, 1879, the undersigned has the honor to invite your attention to the text of Article 7, paragraph 2, of the Federal Law of December 19, 1879, and also to the contents of the message of the Federal Council relative thereto. In the aforesaid paragraph of the law of December 19, 1879, it is expressly provided that producers and merchants, whose business is carried on in a state *which accords the right of reciprocity to Swiss citizens*, may have their marks registered in the same manner as Swiss citizens. But one condition is added, viz., that foreigners shall be

obliged to prove that these marks are *already* protected in the State to which they belong, the sole object of which reservation is to prevent foreigners from depositing, with fraudulent intent, under the protection of reciprocity, marks for which they cannot claim protection in their own country. The Federal Council, moreover, in its message of October 13, 1879, whereby it transmitted to the Federal Chambers a bill for the protection of trade-marks, made the following declaration touching trade-marks: "As regards foreign trade-marks we are of opinion *that Switzerland should stand upon the ground of reciprocity*, and that this is the only position that should be taken by us in the interest of our industry."

In view of this declaration, the Federal Chambers, in accepting, without material modification, the aforesaid paragraph 2 of Article 7 of the law in question, were without doubt actuated by a desire to embody the principle of full reciprocity in the law.

The undersigned takes the liberty, in conclusion, to ask your attention to the fact that the confederation has, since the promulgation of the aforesaid law, concluded a convention with various States for the protection of trade-marks upon the basis of reciprocity; for instance, with Great Britain, Belgium and the Netherlands; and that the Confederation, previously to the promulgation of that law, guaranteed, in its commercial treaties with France, Germany and Italy, protection in Switzerland for their trade-marks to the citizens or subjects of those States.

The undersigned thinks that he has, by the foregoing, furnished proof that the Confederation recognizes the principles of reciprocity, as regards the international protection of trade marks, as an integral part of its public law, and that the United States may, with the most perfect confidence, enter into such an arrangement with the Confederation.

The undersigned gladly awaits a kind reply from you, and he avails himself of this occasion to renew to you, Mr. Secretary of State, the assurance of his very distinguished consideration.

E. FREY.

---

DEPARTMENT OF STATE,

*Washington, May 14, 1883.*

Colonel FREY,

*Etc., etc., etc.*

COLONEL: I have the honor to acknowledge the receipt of your note of the 27th instant, concerning the reciprocal privilege of trade marks registration in the United States and Switzerland. It gives me much pleasure to accept your declaration as evidence that the law of Switzerland affords such a guarantee of reciprocity in the matter as will make the application of the privileges of the Act of Congress of March 3, 1881, to owners of trade marks in Switzerland proper and certain.



This exchange of notes accomplishes the end in view, of securing complete reciprocity under the legislation of the respective countries, and I have therefore communicated your note to the Secretary of the Interior, with this reply, and requested him to make the necessary regulation for admitting Swiss trade-marks to all the privileges of registration, which under that act pertain to the trade-marks of American origin.

Now that the immediate object of our late correspondence on the subject is attained, permit me to suggest that, with a view to rendering the engagements of this Government with foreign nations as uniform as possible, the Government would be pleased to conclude and sign with you, a formal trade mark convention, similar to that lately concluded with Spain, to which I have before referred and of which I enclose a printed copy herewith.\* Our present diplomatic accord will, of course, hold good, until such formal convention can be made effective by ratification and exchange.

Accept, Colonel, etc.,

JOHN DAVIS,  
*Acting Secretary.*

---

\* Convention of June 19, 1882, with Spain.



## CONVENTION

BETWEEN

### THE UNITED STATES OF AMERICA AND VENEZUELA.

SIGNED AT CARÁCAS, MAY 1, 1852.

#### CONVENTION

UPON THE CLAIMS RELATIVE TO THE SCHOONER "ECONOMY" THE SCHOONER "BEN ALLEN" AND CARGO AND THE VESSELS "SAN JOSÉ," "LA CARLOTTA" AND "LA GERTRUDIS" AND THEIR CARGOES.

The undersigned Isaac Nevett Steele, Chargé d'Affaires of the United States of America and Joaquin Herrera, Secretary of State of the Department of Foreign Affairs of the Government of Venezuela, being duly authorized to form an equitable agreement for the payment of the twenty eight and a half per cent which corresponds to Venezuela in the indemnification claimed by those interested in the American Schooner "Economy" confiscated in Maracaibo in the year 1827, the American Schooner "Ben Allen" and her cargo also confiscated in Panama in the year 1827, and in the Vessels "San José" "La Carlotta" and "La Gertrudis" and their cargoes, prizes of the privateer "La Constancia" and her tender "La Joven Constancia", recaptured and sold by Commodore Joly of the Navy of Colombia in the years 1818 and 1819, have agreed upon the following articles.

#### ARTICLE 1.

The Government of Venezuela obligates itself to pay to the Chargé d'Affaires of the United States with the previous approbation of the present convention by the Congress of Venezuela; the sum of ninety thousand dollars macuquinos (\$90,000) with the interest stipulated in the second article, which shall be distributed among the above mentioned claimants in

#### CONVENCION

SOBRE LOS RECLAMOS RELATIVOS A LA GOLETA "ECONOMY", LA GOLETA "BEN ALLEN" Y SU CARGAMENTO Y LOS BUQUES "SAN JOSÉ", "LA CARLOTTA" Y "LA GERTRUDIS" Y SUS CARGAMENTOS.

Los infrascritos Joaquin Herrera, Secretario de Estado del Despacho de Relaciones Exteriores de Venezuela, é Isaac Nevett Steele, Encargado de Negocios de los Estados Unidos de América, estando debidamente autorizados para celebrar un arreglo equitativo para el pago del veinte y ocho y medio por ciento que corresponde á Venezuela en la indemnizacion que reclaman los interesados en la Goleta Norte Americana "Economy", confiscada en Maracaibo en el año de 1827, la Goleta Norte Americana "Ben Allen y su cargamento tambien confiscados en Panamá en el año de 1827, y los buques "San José", "La Carlotta" y "La Gertrudis" y sus cargamentos, presas del corsario "la Constancia" y su mosca "la joven Constancia", recapturadas y vendidas por el Comandante Joly de la Marina de Colombia en los años de 1818 y 1819, han convenido en los Articulos siguientes.

#### ARTICULO 1.

El Gobierno de Venezuela se obliga á pagar á la orden del Señor Encargado de Negocios de los Estados Unidos, previa la aprobacion del presente convenio por el Congreso Venezolano, la cantidad de Noventa mil pesos macuquinos (\$90,000.) con los intereses estipulados en el segundo articulo, que se distribuirá entre los reclamantes susodichos del modo si-

the following manner: namely, to those interested in the Schooner "Economy" five thousand dollars (\$5,000), to those interested in the Schooner "Ben Allen" and cargo twelve thousand dollars (\$12,000) and to those interested in the said prizes of the "Constancia" and her tender Seventy three thousand dollars (\$73,000.)

#### ARTICLE 2.

Said sum of ninety thousand dollars (\$90,000) shall be paid at the Treasury in six annual instalments of fifteen thousand dollars (\$15,000) each. The first instalment shall be paid on the thirty first day of December of the present year 1852, and of the remaining five instalments one shall be paid on the thirty first day of December in each of the years 1853, 1854, 1855, 1856 and 1857; and at the time of the payment of each instalment there shall also be paid the interest upon said instalment, which shall be computed at the rate of three per Centum per annum from the date of this Convention up to the said time of payment.

#### ARTICLE 3.

By the fulfilment of the stipulations in the preceding articles all damages, prejudices, losses and interests, which the persons interested in the Schooner "Economy" the Schooner "Ben Allen" and her cargo, and the said prizes of "the Constancia" and her tender and their cargoes, have claimed or may pretend to claim hereafter of Venezuela, shall remain completely and absolutely indemnified.

In testimony whereof the undersigned have signed in duplicate, in Carácas on the first day of May, one thousand eight hundred and fifty two.

I. NEVETT STEELE.  
JOAQN. HERRERA.

guiente, á saber, á los interesados en la Goleta "Economy" cinco mil pesos (\$5,000), á los interesados en la Goleta "Ben Allen" y su cargamento doce Mil pesos (\$12,000) y á los interesados en las dichas presas de la "Constancia" y su mosca Seitenta y tres Mil Pesos (\$73,000.)

#### ARTÍCULO 2.

Dicha suma de Noventa Mil pesos (\$90,000) se pagará por Tesorería en seis exhibos anuales de quince Mil pesos (\$15,000.) cada uno. El primer exhibo se pagará el 31 Diciembre del año actual de 1852, y de los cinco exhibos restantes, uno se pagará el treinta y uno de Diciembre en cada uno de los años de 1853, 1854, 1855, 1856 y 1857, y al tiempo del pago de cada exhibo se pagará tambien el interés sobre dicho exhibo, que se computará á razon de tres por ciento al año desde la fecha de este convenio hasta dicho tiempo del pago.

#### ARTÍCULO 3.

Con el cumplimiento de lo estipulado en los artículos precedentes, quedarán completa y absolutamente indemnizados todos los daños i perjuicios, pérdidas y intereses que han reclamado ó pretendan reclamar en lo sucesivo á Venezuela las personas interesadas en la Goleta "Economy", la Goleta "Ben Allen" y su cargamento y las dichas presas de la Constancia y su mosca y sus cargamentos.

En fé de lo cual los infraescritos han firmado dos de un tenor en Carácas á primero de Mayo de Mil ochocientos cincuenta y dos.

JOAQN. HERRERA.  
I. NEVETT STEELE.

## CONVENTION

BETWEEN

THE UNITED STATES OF AMERICA AND THE UNITED  
STATES OF VENEZUELA

FOR

A RE-OPENING OF THE CLAIMS OF CITIZENS OF THE UNITED STATES  
AGAINST VENEZUELA UNDER THE TREATY OF APRIL 25, 1866.\*

*Concluded at Washington, December 5, 1885.*

*Ratification, with amendments, advised by the Senate, April  
15, 1886.*

*Ratified by the President of the United States of America,  
August 7, 1888.*

*Ratified by the President of the United States of Venezuela,  
August 2, 1888.*

*Ratifications exchanged at Washington, June 3, 1889.*

*Proclaimed June 4, 1889.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Whereas a Convention between the United States of America and the United States of Venezuela for a re-opening of the claims of citizens of the United States of America against the Government of Venezuela under the Treaty of April 25, 1866, was concluded and signed by the respective Plenipotentiaries of the aforesaid High Contracting Parties at the City of Washington, on the fifth day of December, one thousand, eight hundred and eighty-five, the original of which Convention, as amended by the Senate of the United States of America and being in the English and Spanish languages, is word for word as follows:

CONVENTION FOR A RE-OPENING OF THE  
CLAIMS OF CITIZENS OF THE UNITED  
STATES AGAINST VENEZUELA UNDER  
THE TREATY OF APRIL 25, 1866.

TRATADO PARA LA REVISION DE LAS  
RECLAMACIONES DE CIUDADANOS DE  
LOS ESTADOS UNIDOS CONTRA VENE-  
ZUELA POR EL TRATADO DE ABRIL  
25 DE 1866.

The President of the United States of America having on the 3d. day of March 1883, approved the following Joint Resolution of

Habiendo aprobado el Presidente de los Estados Unidos de América el día 3 de Marzo de 1883 la siguiente resolucion del

\* For the Convention of April 25, 1866. See Appendix.

Congress: (Public Resolution No. 26.)

"Joint Resolution providing for a new Mixed Commission in accordance with the treaty of April twenty-fifth, eighteen hundred and sixty-six, with the United States of Venezuela.

Whereas since the dissolution of the mixed Commission appointed under the treaty of April twenty fifth, eighteen hundred and sixty-six, with the United States of Venezuela, serious charges, impeaching the validity and integrity of its proceedings, have been made by the Government of the United States of Venezuela, and also charges of a like character by divers citizens of the United States of America, who presented claims for adjudication before that tribunal; and

Whereas, the evidence to be found in the record of the proceedings of said Commission, and in the testimony taken before Committees of the House of Representatives in the matter, tends to show that such charges are not without foundation; and

Whereas it is desirable that the matter be finally disposed of in a manner that shall satisfy any just complaints against the validity and integrity of the first Commission, and provide a tribunal under said treaty constructed and conducted so as not to give cause for just suspicion; and

Whereas, all evidence before said late Commission was presented in writing and is now in the archives of the State Department; and

Whereas, the President of the United States has, in a recent communication to Congress, solicited its advisory action in this matter:

Therefore—

*Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he hereby is, requested to open diplomatic correspondence with the Government of the United States of Venezuela, with a view to the revival of the general stipulations of the treaty of April 25th, 1866, with said government, and the appointment thereunder of a new Commission, to sit in the city of Washington, which Commission shall be authorized to consider all the evidence presented before the former Commission in respect to claims brought before it, together with such other and further evidence as the claimants, may offer; and from the awards that may be made to claimants, any moneys heretofore paid by the Department of State, upon certificates issued to them, respectively, upon awards made by the former Commission, shall be deducted, and such certificates deemed cancelled; and the*

Congreso, (Resolucion Pública—No 26.)

"Resolucion conjunta, proveyendo una comision mixta, de acuerdo con el tratado de veinte y cinco de Abril de mil ochocientos sesenta y seis con los Estados Unidos de Venezuela.

"Por cuanto desde la disolucion de la comision mixta nombrada segun el tratado de 25 de Abril de 1866, con los Estados Unidos de Venezuela, se han hecho serios cargos, recusándose la validez é integridad de sus procedimientos por el Gobierno de Venezuela, y tambien cargos de semejante carácter por diversos ciudadanos de los Estados Unidos de América, que presentaron reclamaciones para ser juzgadas ante aquel tribunal; y

"Por cuanto las pruebas, que se encuentran en los registros de los procedimientos de dicha Comision y en el testimonio evacuado ante las Comisiones de la Cámara de Representantes sobre la materia, tienden á mostrar que tales cargos no son infundados, y

"Por cuanto es de desearse que se disponga finalmente de la materia de manera que se satisfagan cualesquiera justas quejas contra la validez é integridad de la primera Comision, y se provea de un tribunal, segun dicho tratado, construido y conducido de manera que no dé motivos de justas sospechas; y

"Por cuanto toda la prueba ante la dicha Comision anterior se presentó por escrito y se encuentra hoy en los archivos del Departamento de Estado; y

"Por cuanto el Presidente de los Estados Unidos, en comunicacion reciente al Congreso, ha solicitado su consejo sobre esta materia: por tanto,

*"Resuelven el Senado y la Cámara de Representantes de los Estados Unidos de América reunidos en Congreso; Que el Presidente sea requerido, como por la presente se le requiere, á que abra correspondencia diplomática con el Gobierno de los Estados Unidos de Venezuela, con el fin de que se revivan las estipulaciones generales del tratado de 25 de Abril de 1866 con dicho Gobierno, y para el nombramiento, bajo sus términos, de una nueva comision en consecuencia, que se reuna en la ciudad de Washington, con la facultad de considerar todas las pruebas presentadas ante la Comision anterior, con respecto á las reclamaciones intentadas ante ella, juntamente con todas las otras pruebas posteriores, que los reclamantes puedan ofrecer; y de los fallos que se den á favor de los reclamantes deberán deducirse las sumas de dinero que hasta aquí hayan sido pagadas por el Departamento de Estado en virtud de los certificados que se les han expedido,*

moneys now in the Department of State received from the Government of Venezuela on account of said awards, and all moneys that may hereafter be paid under said treaty, shall be distributed pro rata in payment of such awards as may be made by the Commission to be appointed in accordance with this resolution."

And the proposal contemplated and authorized by the foregoing joint resolution of Congress having been made by the Government of the United States of America to the Government of the United States of Venezuela, and accepted by the latter through its diplomatic representative in Washington; The Government of the United States of America and the Government of the United States of Venezuela, to the end of effecting by means of a convention arrangements for the execution of the accord thus reached between the two Governments, have named their Plenipotentiaries to confer and agréee thereupon, as follows:

The President of the United States of America, Thomas F. Bayard, Secretary of State of the United States of America; and

The President of the United States of Venezuela, Antonio M. Soteldo, Chargé d'Affaires of Venezuela at Washington;

Who after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles:

#### ARTICLE I.

The general stipulations of the Convention of April 25th 1866, between the contracting parties are hereby revived with such alterations as are required in conformity with the aforesaid joint resolution of the Congress of the United States, and with such further modifications as are deemed necessary for the certain and

respectivamente, sobre los fallos de la anterior Comision, y tales certificados se estimarán cancelados, y las sumas de dinero recibidas del Gobierno de Venezuela y actualmente en el Departamento de Estado, á cuenta de dichos fallos, y las demas sumas de dinero que en lo adelante se paguen, segun dicho tratado, serán distribuidas pro rata, en pago de los fallos que puedan ser dados por la comision que se nombre de conformidad con esta resolucion."

Y la proposicion proyectada y autorizada por la anterior resolucion del Congreso habiendo sido hecha por el Gobierno de los Estados Unidos de América al Gobierno de los Estados Unidos de Venezuela, y aceptada por éste, por medio de su representante diplomático en Washington;

El Gobierno de los Estados Unidos de América, y el Gobierno de los Estados Unidos de Venezuela, con el fin de efectuar, por medio de una convencion, los arreglos para la ejecucion del acuerdo así obtenido entre los dos Gobiernos, han nombrado como sus Plenipotenciarios, para conferenciar y convenir desde luego, del modo siguiente:

El Presidente de los Estados Unidos de América á Thomas F. Bayard, Secretario de Estado de los Estados Unidos de América; y

El Presidente de los Estados Unidos de Venezuela á Antonio M. Soteldo, Encargado de Negocios en Washington;

Quienes, despues de haberse comunicado sus respectivos plenos poderes y halládoslos en debida forma, han convenido en los artículos siguientes:

#### ARTÍCULO I.

Las estipulaciones generales del convenio de 25 de Abril de 1866, entre las partes contratantes, quedan revividas por la presente, con tales alteraciones cuales se requieren de conformidad con la susodicha resolucion del Congreso de los Estados Unidos, y con las demas modificaciones que se creen necesarias para el exacto y

speedy accomplishment of the ends in view, and for the reciprocal protection of the interests of the high contracting parties as hereinafter provided.

## ARTICLE II.

All claims on the part of corporations, companies, or individuals, citizens of the United States, upon the Government of Venezuela, which may have been presented to their Government or to its legation at Carácas, before the first day of August, 1868, and which by the terms of the aforesaid convention of April 25th 1866, were proper to be presented to the Mixed Commission organized under said convention shall be submitted to a new Commission, consisting of three Commissioners one of whom shall be appointed by the President of the United States of America, one by the Government of the United States of Venezuela and the third shall be chosen by these two Commissioners; if they cannot agree within ten days from the time of their first meeting as hereinafter provided, then the diplomatic representative of either Russia or Switzerland at this capital shall be requested by the Secretary of State and the Venezuelan Minister at Washington to name the third Commissioner.

In case of the death, resignation or incapacity of any of the Commissioners, or in the event of any of them omitting or ceasing to act, the vacancy shall be filled within three months by naming another Commissioner in like manner as herein provided for the original appointment.

## ARTICLE III.

The Commissioners so appointed shall meet in the city of Washington at the earliest convenient time within three months from

pronto cumplimiento de los fines propuestos, y para la recíproca protección de los intereses de las altas partes contratantes, según lo proveído después en la presente.

## ARTÍCULO II.

Todas las reclamaciones, por parte de corporaciones, compañías ó individuos, ciudadanos de los Estados Unidos, contra el Gobierno de Venezuela, que hayan sido presentadas á su Gobierno, ó á la legación de éste en Carácas, ántes del día 1º de Agosto de 1868, y que por los términos de dicho Convenio de Abril 25 de 1866, eran propios para ser presentados á la Comisión mixta organizada según dicho convenio, se someterán á una nueva Comisión, compuesta de tres Comisionados, uno de los cuales será nombrado por el Presidente de los Estados Unidos de América, otro por el Gobierno de los Estados Unidos de Venezuela, y el tercero por los otros dos Comisionados. Si no se pudieren avenir dentro de diez días contados desde su primera reunión, según se proveerá después, entónces el representante diplomático, ya sea de Rusia, ya de Suiza en esta capital, será requerido por el Secretario de Estado y el Ministro de Venezuela en Washington á nombrar un tercer Comisionado.

En caso de muerte, renuncia ó incapacidad de cualquiera de los Comisionados, ó en el evento de que cualquiera de ellos omita ó deje de funcionar, se llenará la vacante dentro de tres meses, nombrándose otro Comisionado de la misma manera proveída hasta aquí para el nombramiento original.

## ARTÍCULO III.

Los Comisionados así nombrados se reunirán en la ciudad de Washington en el mas breve término conveniente dentro de tres



the exchange of the ratifications of this Convention, and shall, as their first act in so meeting, make and subscribe a solemn declaration that they will carefully examine and impartially decide, according to justice and in compliance with the provisions of this Convention, all claims submitted to them in conformity herewith, and such declaration shall be entered on the record of their proceedings.

#### ARTICLE IV.

The concurring judgment of any two Commissioners shall be adequate for every intermediate decision arising in the execution of their duty, and for every final decision or award.

#### ARTICLE V.

So soon as the Commission shall have organized, notice shall be given to the respective Governments of the date of organization and of readiness to proceed to the transaction of the business of the Commission.

The Commissioners shall thereupon proceed without delay to hear and examine all the claims which by the terms of the aforesaid Convention of April 25, 1866, were proper to be presented to the Mixed Commission organized under the Convention of April 25, 1866; and they shall to that end consider all the evidence admissible under the aforesaid Convention of April 25, 1866, in respect to claims adjudicable thereunder, together with such other and further evidence as the claimants may offer through their respective Governments, and such further evidence as may be offered to rebut any such new evidence offered on the part of the claimant, and they shall, if required, hear one person on be-

meses del cange de las ratificaciones de este Convenio, y el primer acto, despues de reunirse, será el de suscribir la declaracion solemne de que examinarán cuidadosamente y decidirán con imparcialidad, como sea de justicia, y en cumplimiento de las provisiones de este convenio, todas las reclamaciones que les fueren sometidas de conformidad con esta convencion, y tal declaracion se agregará al registro de sus procedimientos.

#### ARTÍCULO IV.

El juicio conforme de dos Comisionados se considerará suficiente para cualquiera decision intermedia que proceda del cumplimiento de su deber y para todo fallo ó decision final.

#### ARTÍCULO V.

Tan luego como se haya organizado la comision, se dará aviso á los respectivos Gobiernos de la fecha de la organizacion, y de estar pronta á proceder al desempeño de los negocios de la Comision.

Los Comisionados procederán desde luego, sin dilacion, á oir y examinar todas las reclamaciones que, segun los términos de la susodicha convencion de Abril 25 de 1866, fueron propios para ser presentados á la Comision Mixta organizada por la Convencion de Abril 25 de 1866, y con tal fin considerarán toda prueba admisible segun la Convencion de Abril 25 de 1866, con respecto á las reclamaciones admisibles en su virtud, junto con cualquiera otra prueba posterior que los reclamantes presenten por medio de sus Gobiernos respectivos, y cualquiera otra prueba posterior que se produzca para rebatir la nueva prueba que se ofrezca por parte del reclamante: y oirán, si se requiere, una persona por parte de cada

half of each Government on every separate claim.

All the papers and evidence before the said former Commission, now on file in the archives of the Department of State at Washington, shall be laid before the Commission; and each Government shall furnish, at the request of the Commissioners, or of any two of them, all such papers and documents in its possession as may be deemed important to the just determination of any claim.

## ARTICLE VI.

The Commissioners shall make such decision as they shall deem, in reference to such claims, conformable to justice.

The concurring decisions of the three Commissioners, or of any two of them, shall be conclusive and final. Said decisions shall in every case be given upon each individual claim, in writing, stating in the event of a pecuniary award being made, the amount or equivalent value of the same, expressed in gold coin of the United States of America; and in the event of interest being allowed for any cause and embraced in such award, the rate thereof and the period for which it is to be computed shall be fixed, which period shall not extend beyond the close of the Commission; and said decision shall be signed by the Commissioners concurring therein.

In all cases where the Commissioners award an indemnity as aforesaid, they shall issue one certificate of the sum to be paid to each claimant, respectively, by virtue of their decisions, inclusive of interest when allowed, and after having deducted from the sum so found due to any claimant or claimants any moneys heretofore paid by the Department of State at Washington upon certificates issued to such claimants, respectively, upon

Gobierno, sobre cada reclamacion separada.

Todos los papeles y pruebas ante la dicha comision mixta anterior, que ahora se conservan en los archivos del Departamento de Estado en Washington, serán presentados á la comision, y cada Gobierno facilitará, al requerirlo los comisionados ó dos de ellos, los papeles y documentos que posean y se crean importantes para la justa determinacion de cualquiera reclamacion.

## ARTÍCULO VI.

Los Comisionados decidirán tales reclamaciones como crean ser de justicia.

Las decisiones conformes de los tres árbitros, ó de dos de ellos, serán concluyentes y finales. Dichas decisiones serán dadas, en cada caso, sobre cada reclamacion individual, por escrito, fijando, en el evento de dar un fallo pecuniario, el valor montante ó equivalente, y expresándolo en monedas de oro corriente de los Estados Unidos de América, y en el evento de conceder intereses sobre tales fallos, el tanto por ciento de los mismos, y el período por el cual se hayan de computar, deberán fijarse, cuyo período no se extenderá más allá del día de cerrarse la Comision, y dichas decisiones serán firmadas por los Comisionados que convengan en ellas.

En todos los casos en que los comisionados acuerden indemnizaciones como se ha dicho, expedirán un certificado de la suma que haya de pagarse á cada reclamante respectivamente, en virtud de sus decisiones, incluyendo los intereses que se concedan, y despues de haber deducido de la suma hallada á deberse á cualquier reclamante ó reclamantes, la suma de dinero que hasta entónces haya pagado el Departamento de Estado en Washington sobre los certifi-

awards made by the former Mixed Commission under the Convention of April 25th 1866. And all certificates of awards issued by the said former Mixed Commission shall be deemed cancelled from the date of the decision of the present Commission in the case in which they were issued.

The aggregate amount of all sums awarded by the present Commission, and of all sums accruing therefrom, shall be paid to the United States. Payment of said aggregate amount shall be made in equal annual payments to be completed within ten years from the date of the termination of the labors of the present Commission. Semi-annual interest shall be paid on the aggregate amount awarded, at the rate of five per cent. per annum from the date of the termination of the labors of the Commission.

#### ARTICLE VII.

The moneys now in the Department of State actually received from the Government of Venezuela on account of the awards of the said former Mixed Commission under the convention of April 25, 1866, and all moneys that may hereafter be paid on said former account by the Government of Venezuela to the Government of the United States shall be credited to the Government of Venezuela in computing the aggregate total which may be found due to the Government of the United States under the stipulations of the preceding article, and the balance only shall be considered as due and payable with interest in ten annual payments as aforesaid. *Provided however,* That in the event of the aggregate amount which the present Commission may find due to the Government of the United

cados expedidos á tales reclamantes, respectivamente, segun los fallos dados por la anterior Comision mixta, de acuerdo con la convencion de 25 de Abril de 1866. Y todos los certificados librados por los fallos de la dicha Comision mixta anterior se juzgarán cancelados, desde la fecha de la decision de la presente Comision, en el caso en que hayan sido expedidos.

El montante total de todas las sumas acordadas por los fallos de la presente Comision y de todas las sumas que se las agreguen, deberá pagarse al gobierno de los Estados Unidos. El pago de dicho monto total se hará en pagos anuales iguales, que habrán de completarse dentro de diez años de la fecha de la terminacion de los trabajos de la presente Comision. Se pagará el interés semi-anual sobre la suma total acordada, á razon de cinco por ciento al año, desde la fecha de la terminacion de los trabajos de la Comision.

#### ARTÍCULO VII.

El dinero existente en el Departamento de Estado actualmente, recibido del Gobierno de Venezuela, por cuenta de los fallos de dicha Comision mixta anterior, bajo la convencion de 25 de Abril de 1866, y el demas dinero que se pague en lo adelante, por dicha cuenta anterior, por el Gobierno de Venezuela al Gobierno de los Estados Unidos, se acreditará al Gobierno de Venezuela en el cómputo del monto total que se halle á deberse al Gobierno de los Estados Unidos por las estipulaciones del precedente artículo, y el balance únicamente se considerará como lo debido y pagadero con interés en los pagos anuales sobre dichos. Con tal sin embargo: Que en el evento de que el monto total que la presente Comision halle deberse al Gobierno de los Estados Unidos fuere ménos que el montante de las sumas real-

States being less than the aggregate of the sums actually received from the Government of Venezuela, and remaining undistributed in the Department of State, at Washington, the Government of the United States will refund such excess to the Government of Venezuela within six months from the conclusion of the labors of the Commission.

The payment of moneys due from the Government of Venezuela to the Government of the United States under the former Convention of April 25, 1866, shall be deemed to have ceased from the first day of April 1883, to be resumed should occasion arise as hereinbefore provided.

#### ARTICLE VIII.

In the event of the annulment of any awards made by the former Mixed Commission under the Convention of April 25, 1866, the Government of the United States is not to be regarded as responsible to that of Venezuela for any sums which may have been paid by the latter Government on account of said awards, so far as said sums may have been distributed. In like manner, if the awards made by the present Commission and the certificates issued by it shall in any cases be found less than the amount heretofore paid to the claimants from the moneys received from Venezuela, the Government of the United States shall not be regarded as responsible by reason thereof to the Government of Venezuela.

The rehearing provided in the present convention affects, as against the Government of the United States, only the installments of moneys paid to and now held by the United States, and those hereafter to be paid; and the effect of such annulment or reduction in any case shall be to discharge the Government of Venezuela, wholly and forever,

mente recibidas del Gobierno de Venezuela, y que permanezca sin distribuirse en el Departamento de Estado en Washington, el Gobierno de los Estados Unidos restituirá tal exceso al Gobierno de Venezuela dentro de seis meses de la conclusion de los trabajos de la comision. El pago del dinero debido por el Gobierno de Venezuela al Gobierno de los Estados Unidos bajo la anterior convencion de Abril 25 de 1866, se considerará haber cesado desde el primero de Abril de 1883, para reasumirse, si llegare el caso, segun lo proveido hasta aquí.

#### ARTÍCULO VIII.

En el evento de la anulacion de cualesquiera fallos de la anterior comision mixta, bajo la convencion de Abril 25 de 1866, el Gobierno de los Estados Unidos no se mirará como responsable al de Venezuela por las sumas que los Estados Unidos de América hayan pagado por cuenta de dichas adjudicaciones, en tanto que dichas sumas hayan sido distribuidas. De la misma manera, si los fallos dados por la presente Comision, y los certificados emitidos por ella, se hallaren ser ménos que el montante pagado hasta ahora á los reclamantes, del dinero recibido de Venezuela, no se mirará al Gobierno de los Estados Unidos como responsable, por tal razon, al Gobierno de Venezuela.

La revision proveida en la presente convencion afecta al Gobierno de los Estados Unidos, tan solo en las porciones de dinero pagadas que éstas tengan ahora en su poder y en las que en lo adelante se pagaren; y el efecto de tal anulamiento ó reduccion, en cualquier caso, será el de descargar al Gobierno de Venezuela, en todo y para siempre de cual-

from any obligation to pay further installments in such case, except as provided in the present convention.

#### ARTICLE IX.

It is further agreed that if the Commission, hereunder organized shall in whole or part annul any money awards made in any cases by the former Mixed Commission under the Convention of April 25, 1866, it shall be the duty of the Commission to examine and decide whether, under all the circumstances, and with due regard to principles of justice and equity there are any third parties who have, with the observance of due care and diligence, become possessed, prior to the date of the exchange of ratifications hereof, for a just and valuable consideration, of any portion of the certificates of award heretofore issued in said claims, and whether, under the constitution or laws of either of the contracting parties, said third parties have acquired vested rights, by virtue of the awards of the former Commission under the convention of 1866, imposing the duty on the Government of the United States to collect from Venezuela the amount or proportion of said certificates of awards which may be held and owned by third parties.

If the present Commission shall decide that there are third parties who are possessed of vested rights, then it shall examine and ascertain the sum paid by each and all of said third parties for their respective interests or shares in said awards, and shall fix the amount of their said interest in said certificates of award or each of them, and shall issue new certificates of award for the sums so adjudged due, which shall be paid by Venezuela to the United States in the manner hereinbefore stip-

quiera obligacion de pagar mas porciones en tal caso, salvo lo proveido en la presente convencion.

#### ARTÍCULO IX.

Se conviene ademas en que, si la Comision organizada por la presente anulare, en todo ó en parte, cualesquiera adjudicaciones de dinero, hechas en cualesquiera casos por la anterior Comision mixta, bajo la convencion de Abril 25 de 1866, será deber de la Comision examinar y decidir si, bajo todas las circunstancias, y atendiendo debidamente á los principios de justicia y equidad, hay terceros que, con la observancia de la diligencia y del cuidado debido, hayan entrado en posesion, ántes de la fecha del cange de las ratificaciones de la presente, por justa y valiosa consideracion, de cualquiera porcion de los certificados de adjudicacion hasta ahora emitidos sobre dichas reclamaciones, y si, bajo la constitucion y leyes de una ú otra de las partes contratantes, dichos terceros han adquirido derechos fijos por virtud de las adjudicaciones de la anterior comision, bajo la convención de 1866, imponiendo el deber al Gobierno de los Estados Unidos de cobrar de Venezuela el montante ó proporcion de dichos certificados de adjudicaciones que se encuentren en posesion y propiedad de terceros.

Si la presente Comision decidiere que hay terceros, que posean derechos fijos, entónces examinará y fijará la suma pagada por todos y cada uno de dichos terceros por sus respectivos intereses ó partes en tales adjudicaciones, y fijará el montante de su dicho interes en dichos certificados de adjudicacion, ó en cada uno de ellos, y emitirá nuevos certificados de adjudicaciones por las sumas que se fallen como debidas, y que Venezuela pagará á los Estados Unidos del modo estipulado por

ulated, the same as all other certificates issued by the present Commission.

#### ARTICLE X.

Upon the conclusion of the labors of the Commission organized in virtue of this present Convention, the Department of State of the United States of America shall distribute pro rata among the holders of the certificates which may be issued under the present convention, the moneys in the Department of State actually received from the Government of Venezuela on account of the awards of the former Mixed Commission under the Convention of April 25, 1866; and all moneys that may hereafter be paid to the United States under this present convention shall be in like manner distributed pro rata in payment of such awards as may be made under this present convention.

#### ARTICLE XI.

The decisions of the Commission organized under this present convention shall be final and conclusive as to all claims presented or proper to be presented to the former Mixed Commission.

#### ARTICLE XII.

The Commission appointed under this present convention shall terminate its labors within twelve months from the date of its organization. A record of the proceedings of the Commission shall be kept, and the Commissioners may appoint a Secretary.

#### ARTICLE XIII.

Notwithstanding that the present Commission is organized in consequence of representations made by the Government of

la presente, lo mismo que cualesquiera otros certificados emitidos por la presente Comision.

#### ARTÍCULO X.

Concluidos los trabajos de la Comision organizada en virtud de este Convenio, el Departamento de Estado de los Estados Unidos de América distribuirá pro rata entre los tenedores de los certificados que se expidieren en virtud del presente convenio, las sumas de dinero existentes en el Departamento de Estado, recibidas del Gobierno de Venezuela por cuenta de los fallos de la anterior Comision Mixta bajo la convencion de Abril 25 de 1866; y todas las sumas de dinero que en lo adelante se pagaren á los Estados Unidos segun este convenio se distribuirán pro rata, de la misma manera, en pago de los fallos que se den bajo la presente convencion.

#### ARTÍCULO XI.

Las decisiones de la comision organizado bajo la presente convencion se tendrán por finales y concluyentes, en cuanto á todas las reclamaciones presentadas ó propias para ser presentadas ante la anterior Comision Mixta.

#### ARTÍCULO XII.

La Comision nombrada por la presente convencion terminará sus trabajos dentro de doce meses de la fecha de su organizacion. Se llevará un registro de los procedimientos de la comision, y los Comisionados podrán nombrar un Secretario.

#### ARTÍCULO XIII.

Sin embargo de que la presente comision se organiza á consecuencia de las representaciones hechas por el Gobierno de Vene-

Venezuela and that it deals solely with the claims of citizens of the United States, (for which reasons the United States might properly claim that all the expenses hereunder should be borne by Venezuela alone) it is agreed that, in continuation of the arrangement made in the former convention of 1866, the expenses shall be shared as follows: Each Government shall pay its own Commissioner and shall pay one-half of what may be due to the third Commissioner and the Secretary, and one-half of the incidental expenses of the Commission.

#### ARTICLE XIV.

Except so far as revived, continued, modified and replaced by the terms and effects of this present convention, the effects of the former convention of April 25, 1866, shall absolutely cease and determine from and after the date of the exchange of ratifications of this present convention, and the high contracting parties hereby agree that the responsibilities and obligations arising under said former convention shall be deemed wholly discharged and annulled by the substitution therefor of the responsibilities contracted and obligations created under this present convention, to which the high contracting parties mutually bind themselves to give full, perfect and final effect, without any evasion, reservation or delay whatever.

#### ARTICLE XV.

The present convention shall be ratified by the President of the United States by and with the advice and consent of the Senate of the United States of America; and by the President of the United States of Venezuela by and with the advice and consent of the Senate of the United States of Venezuela, and the ratifications shall

zuela, y de que trata solamente de reclamaciones de ciudadanos de los Estados Unidos, (por cuyas razones los Estados Unidos podrían con razon reclamar que todos los gastos de la presente fuesen hechos por Venezuela solamente,) se conviene en que, en continuacion del arreglo hecho en la convencion anterior de 1866, los gastos se hagan como sigue: cada Gobierno pagará su Comisionado y ademas la mitad de lo que se deba pagar al tercer Comisionado y al Secretario, y ademas la mitad de los gastos incidentes de la comision.

#### ARTÍCULO XIV.

Excepto en lo revivido, continuado, modificado ó repuesto por los términos de la presente convencion, los efectos de la anterior de Abril 25 de 1866 cesarán absolutamente desde la fecha del cange de las ratificaciones de la presente convencion, y las altas partes contratantes convienen en que las responsabilidades y obligaciones provenientes de dicha convencion anterior se tengan por descargadas del todo y por anuladas con la sustitucion en su lugar de las responsabilidades contraidas, y las obligaciones creadas por esta convencion presente, á la cual las altas partes contratantes se obligan recíprocamente á dar cabal, perfecto y final efecto, sin ninguna evasion, reserva ni dilacion de ningun género.

#### ARTÍCULO XV.

La presente convencion será ratificada por el Presidente de los Estados Unidos con el acuerdo y consentimiento del Senado de los Estados Unidos de América y por el Presidente de los Estados Unidos de Venezuela, con el consejo y consentimiento del Congreso Nacional, y los ratificaciones serán cangeadas en Washington, dentro

be exchanged at Washington within twelve months from the date of this present convention, and the publication of the exchange of ratifications shall be notice to all persons interested.

In testimony whereof the respective plenipotentiaries have hereunto affixed their signatures and seals.

Done in duplicate, in the English and Spanish languages, at the city of Washington, this 5th day of December 1885.

T. F. BAYARD. [SEAL.]  
A. M. SOTELDO. [SEAL.]

de doce meses de la fecha de la presente convencion, y la publicacion del cange de las ratificaciones servirá de notificacion á todas las personas interesadas.

En testimonio de lo cual los respectivos plenipotenciarios hemos puesto nuestras firmas y estampado nuestros sellos.

Hecha en duplicado en las lenguas inglesa y castellana en la ciudad de Washington el dia 5 de Diciembre de 1885.

And whereas the said Convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged at the City of Washington, on the third day of June, one thousand, eight hundred and eighty-nine;

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the said Convention to be made public, as amended, to the end that the same, and every article and clause thereof, may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington this 4th. day of June in the year of our Lord one thousand, eight hundred and eighty-nine, and of the Independence of the United States of America, the one [SEAL.] hundred and thirteenth.

BENJ. HARRISON

By the President:

JAMES G. BLAINE

*Secretary of State.*



**CONVENTION TO REMOVE DOUBTS AS TO THE MEANING OF  
ARTICLE IX OF THE PRECEDING CONVENTION AND EXTENDING  
THE TIME FOR THE EXCHANGE OF THE RATIFICATIONS  
THEREOF.**

---

*Concluded at Washington March 15, 1888.*

*Ratification advised by the Senate June 18, 1888.*

*Ratified by the President of the United States of America  
August 7, 1888.*

*Ratified by the President of the United States of Venezuela  
August 2, 1888.*

*Ratifications exchanged at Washington June 3, 1889.*

*Proclaimed June 4, 1889.*

---

**BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.**

**A PROCLAMATION.**

Whereas a Convention between the United States of America and the United States of Venezuela, to remove doubts as to the meaning of the Convention between the same High Contracting Parties, signed the fifth day of December, one thousand, eight hundred and eighty-five, and to extend the time for the exchange of the ratifications thereof, was concluded and signed by their respective Plenipotentiaries, at the City of Washington, on the fifteenth day of March, one thousand, eight hundred and eighty-eight, the original of which Convention, being in the English and Spanish languages, is word for word as follows:

CONVENTION BETWEEN THE UNITED STATES AND VENEZUELA TO REMOVE DOUBTS AS TO THE MEANING OF THE CONVENTION SIGNED DECEMBER 5, 1885.

CONVENCIÓN ENTRE LOS ESTADOS UNIDOS Y VENEZUELA PARA REMOVER DUDAS SOBRE EL SENTIDO DE LA CONVENCIÓN FIRMADA EL 5 DE DICIEMBRE DE 1885.

Whereas doubts have arisen in respect of the true intent and meaning of Article IX of the treaty between the United States of America and the United States of Venezuela signed at Washington on the fifth day of December

Visto: que se han presentado dudas en cuanto al verdadero sentido é intencion del Artículo IX del tratado entre los Estados Unidos de América y los Estados Unidos de Venezuela, firmado en Washington, el 5 de Diciembre de

1885, and, in consequence of such ambiguities, the exchange of ratifications of said treaty has not taken place within the period therein prescribed for such exchange;

And, whereas, the High Contracting Parties are desirous of removing all doubts in respect of the meaning and intent of said Article, and of extending the time for the exchange of ratifications of said treaty, to the end of reaching an amicable and honorable solution of the difficulties that now impair their good relations;

The Government of the United States of America and the Government of the United States of Venezuela, have named as their Plenipotentiaries to conclude a Convention for that purpose: the President of the United States of America, Thomas F. Bayard, Secretary of State of the United States of America; and the President of the United States of Venezuela, José Antonio Olavarria, Chargé d'Affaires of Venezuela at Washington; who, after reciprocal communication of their full powers, found in due and good form, have agreed upon the following Articles:

#### ARTICLE I.

It is understood and agreed that in the event of any of the awards of the Mixed Commission under the Convention of April 25, 1866, being annulled in whole or in part by the Commission authorized and created by Article II of the treaty of December 5, 1885, no new award shall in any case be made by said Commission, to the holders of certificates of any award or awards annulled as aforesaid, in excess of the sum which may be found to be justly due to the original claimant.

1885, y que á causa de tales ambigüedades el cambio de ratificaciones de dicho tratado no ha tenido lugar dentro del término en él fijado:

Visto: que las Altas Partes Contratantes desean remover toda duda en cuanto al sentido é intención de dicho Artículo y prorogar el plazo para el cambio de ratificaciones del citado tratado, con el fin de llegar á una honrosa y amigable solución de las dificultades que actualmente alteran sus buenas relaciones;

El Gobierno de los Estados Unidos de América y el Gobierno de los Estados Unidos de Venezuela han nombrado Plenipotenciarios para concluir una Convencion con tal objeto: el Presidente de los Estados Unidos de América, al Señor Thomas F. Bayard, Secretario de Estado de los Estados Unidos de América; y el Presidente de los Estados Unidos de Venezuela, al Señor José Antonio Olavarria, Encargado de Negocios de Venezuela en Washington; quienes despues de réciproca comunicación de sus plenos poderes, estimados en debida y buena forma, han convenido en lo siguiente:

#### ARTÍCULO I°.

Queda entendido y aceptado, que en el caso de que alguno ó algunos de los fallos de la Comisión Mixta, que actuó en virtud de la Convencion de 25 de Abril de 1866 fueren anulados en todo ó en parte por la nueva Comisión autorizada y creada por el Art° 2° del tratado de 5 de Diciembre de 1885, ninguna otra concesión se hará en caso alguno por dicha Comisión á los tenedores de certificados provenientes de dicho fallo ó fallos anulados que venga á exceder la suma que haya resultado justa adjudicar al reclamante primitivo.

## ARTICLE II.

The time fixed for the exchange of the ratifications of the aforesaid treaty between the United States and Venezuela signed at Washington on the fifth day of December, A. D. one thousand eight hundred and eighty-five, is hereby extended to a period not exceeding five months from the date of this Convention or sooner if possible.

## ARTICLE III.

The present Convention shall be ratified by the President of the United States of America by and with the advice and consent of the Senate thereof, and by the President of the United States of Venezuela by and with the advice and consent of the Congress thereof, and the ratifications shall be exchanged at Washington as soon as possible within the time specified in Article II hereof as the period of extension of the time for the exchange of ratifications of the treaty signed at Washington on the fifth day of December, 1885.

In witness whereof the respective plenipotentiaries have signed and sealed the present Convention in duplicate.

Done at Washington this 15th day of March, A. D. 1888.

T. F. BAYARD [SEAL]  
J. A. OLAVARRIA [SEAL]

## ARTÍCULO II°.

El tiempo fijado para el cambio de ratificaciones del antedicho Tratado entre las Estados Unidos y Venezuela, firmado en Washington el 5 de Diciembre de 1885, queda prorogado por la presente á un periodo que no excederá de cinco meses, contados desde la fecha de esta Convención, ó menos si posible.

## ARTÍCULO III°.

La presente Convención será ratificada por el Presidente de los Estados Unidos de América, previa consulta y aceptación del Senado, y por el Presidente de las Estados Unidos de Venezuela, previa consulta y aceptación del Congreso, y las ratificaciones se cambiarán en Washington tan pronto como posible dentro del término expresado en el Artículo II como próroga del plazo para el cambio de ratificaciones del tratado firmado en Washington el 5 de Diciembre de 1885.

En fé de lo cual los respectivos Plenipotenciarios firman y sellan la presente Convención por duplicado.

En Washington el dia 15 de Marzo del Año de 1888.

And whereas the said Convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged at the City of Washington, on the third day of June, one thousand, eight hundred and eighty-nine;

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the said Convention to be made public, to the end that the same, and every article and clause thereof, may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington this 4th. day of June in the year of our Lord one thousand, eight hundred and eighty-nine, and of the Independence of the United States of America, the one [SEAL.] hundred and thirteenth.

BENJ. HARRISON

By the President:

JAMES G. BLAINE

*Secretary of State.*

**SUPPLEMENTARY CONVENTION FURTHER EXTENDING THE PERIOD FIXED FOR THE EXCHANGE OF RATIFICATIONS OF THE CONVENTION OF DECEMBER 5, 1885; AND EXTENDING THAT FIXED FOR THE EXPLANATORY CONVENTION OF MARCH 15, 1888.**

---

*Concluded at Washington, October 5, 1888.*

*Ratification advised by the Senate, December 5, 1888.*

*Ratified by the President of the United States of America, January 30, 1889.*

*Ratified by the President of the United States of Venezuela, May 11, 1889.*

*Ratifications exchanged at Washington, June 3, 1889.*

*Proclaimed June 4, 1889.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Supplementary Convention between the United States of America and the United States of Venezuela, to further extend the period fixed for the exchange of ratifications of the Convention of December 5, 1885, and to extend the period for the exchange of the ratifications of the Convention of March 15, 1888, between the same High Contracting Parties, was concluded and signed by their respective Plenipotentiaries at the City of Washington on the fifth day of October, one thousand eight hundred and eighty-eight, the original of which Supplementary Convention, being in the English and Spanish languages, is word for word as follows:

SUPPLEMENTARY CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND VENEZUELA, TO FURTHER EXTEND THE PERIOD FIXED FOR THE EXCHANGE OF RATIFICATIONS OF THE CONVENTION OF DECEMBER 5, 1885, AND TO EXTEND THE PERIOD FOR THE EXCHANGE OF THE RATIFICATIONS OF THE CONVENTION OF MARCH 15, 1888.

CONVENIO ADICIONAL ENTRE LOS ESTADOS UNIDOS DE AMÉRICA Y VENEZUELA, PARA PROROGAR EL TÉRMINO FIJADO PARA EL CANJE DE LAS RATIFICACIONES DEL CONVENIO DE 5 DE DICIEMBRE DE 1885, Y ASIMISMO PARA PROROGAR EL TÉRMINO PARA EL CANJE DE LAS RATIFICACIONES DEL CONVENIO DE 15 DE MARZO DE 1888.

Whereas, by Articles I and II of a Convention, signed and concluded by the respective Plenipotentiaries of the United States

Por cuanto, por los artículos I y II del Convenio firmado y concluido por los respectivos Plenipotenciarios de los Estados Uni-

and Venezuela, in the city of Washington, on the 15th day of March, 1888, it was provided that the time fixed by the Convention between the said parties, signed and concluded December 5, 1885, for the exchange at Washington of the ratifications thereof, should be extended to a period not exceeding five months from the date of said Convention, to wit, from the 15th day of March, 1888, or sooner if possible, and that the ratifications of the said Convention of March 15, 1888, should in like manner be exchanged at Washington within the same period;

And whereas the period, as aforesaid prescribed, elapsed on the 15th day of August, 1888, without such exchange having been effected;

And whereas it appears that the Congress and Government of Venezuela did, according to the Constitutional forms of that Republic, ratify and confirm the said Conventions at Caracas on the 27th day of July, 1888, and that the President of the Republic of Venezuela did on the 2d day of August, 1888, fully empower the Representative of that Republic in the United States to exchange ratifications thereof with whoever should be duly authorized on behalf of the United States;

And whereas the said Conventions having been theretofore duly ratified by the President of the United States, by and with the advice and consent of the Senate thereof, the Secretary of State of the United States, duly empowered by the President of the United States, was ready on and before the said 15th day of August, 1888, to effect the exchange of ratifications of the said Conventions as stipulated;

And whereas, by reason of unavoidable delay, the copy of the said Convention ratified by the Government of Venezuela as aforesaid and the necessary powers to enable the Representative

dos y de Venezuela, en la ciudad de Washington el 15 de marzo de 1888, se estipuló que el tiempo fijado por el Convenio entre ambas partes contratantes, firmado y concluido en 5 de diciembre de 1885, para el cambio en Washington de las ratificaciones consiguientes no excediera de 5 meses contados desde la fecha de dicho Convenio, es decir, del 15 de marzo de 1888, ó ántes si fuera posible, y que las ratificaciones del mencionado Convenio de 15 de marzo de 1888, fueran de la misma manera cambiadas en Washington dentro del mismo término;

Y por cuanto el término prescrito, á que se ha hecho referencia, expiró el 15 de agosto de 1888, sin haber tenido efecto el cange expresado;

Y por cuanto aparece que el Congreso y Gobierno de Venezuela, ajustándose á las fórmulas constitucionales de dicha República, ratificaron y confirmaron dichos Convenios en Carácas á 27 de Julio de 1888; y que el Presidente de la República de Venezuela, en dos de agosto de 1888, autorizó, tanto como se requiere, al representante de la misma República en los Estados Unidos para cambiar las precitadas ratificaciones con cualquiera persona debidamente autorizada por el Presidente de los Estados Unidos;

Y por cuanto, ratificadas dichas Convenciones por el Presidente de los Estados Unidos, con el consejo y consentimiento del Senado de los mismos Estados, el Secretario de Estado de los Estados Unidos, autorizado por el Presidente de los Estados Unidos, estaba dispuesto, ántes del 15 de agosto de 1888, á efectuar el cambio de las ratificaciones, como se habia estipulado, de las ya referidas Convenciones;

Y por cuanto, por causas de inevitable dilación, la copia del apuntado Convenio, ratificado por el Gobierno de Venezuela, como se ha dicho, con los poderes necesarios del Representante de

of that Government in the United States to make exchange of ratifications could not be produced in the city of Washington, D. C., until after the expiration of the period so as aforesaid stipulated for the exchange of ratifications;

Now, therefore, the Governments of the United States and Venezuela, being desirous of completing and putting in force the two Conventions aforesaid at the earliest day possible, have respectively named as their Plenipotentiaries to conclude a Convention for that purpose,

The President of the United States of America, Thomas F. Bayard, Secretary of State of the United States of America,

And the President of the United States of Venezuela, Francisco Antonio de Silva, Chargé d'Affaires of the United States of Venezuela at Washington;

Who, after reciprocally satisfying each other in good and due form of their competency to negotiate to such end, have agreed upon the following Articles:

#### ARTICLE I.

The time fixed, by Articles I and II of the Convention between the Contracting Parties, signed at Washington, the 15th day of March, 1888, within which to effect the exchange of the ratifications of the Convention between said parties signed at Washington, on the 5th day of December, 1885, and also of the said Convention of the 15th day of March, 1888, is hereby extended to a period not exceeding ten months from the 15th day of August, one thousand eight hundred and eighty-eight, or sooner if possible.

#### ARTICLE II.

The present Convention shall be ratified by the President of

aquel Gobierno en los Estados Unidos para hacer el cambio de las ratificaciones, no pudieron presentarse en la ciudad de Washington, D. C., hasta la terminación del término estipulado para el canje de las ratificaciones;

Por tanto, los Gobiernos de los Estados Unidos y de Venezuela, deseosos de completar y poner en ejecución, en el tiempo más breve posible, los dos Convenios expresados, han nombrado respectivamente como sus Plenipotenciarios para celebrar un Convenio con tal objeto,

El Presidente de los Estados Unidos de América, á Tomas F. Bayard, Secretario de Estado de los Estados Unidos de América.

Y el Presidente de los Estados Unidos de Venezuela, á Francisco Antonio de Silva, Encargado de Negocios de los Estados Unidos de Venezuela en Washington;

Quienes, después de haber recíprocamente examinado y hallado en buena y debida forma su competencia para negociar con el fin indicado, han convenido en los artículos siguientes:

#### ARTÍCULO I.

Se prorroga por un término que no exceda de diez meses contados desde el 15 de agosto de mil ochocientos ochenta y ocho, ó para ántes, si fuere posible, el tiempo fijado por los artículos primero y segundo del convenio entre ambas partes contratantes, firmado en Washington el 15 de marzo de 1888, para efectuar el cambio de las ratificaciones del Convenio entre las dichas partes contratantes, firmado en Washington el 5 de diciembre de 1885, y también el término fijado para el cambio de las ratificaciones del Convenio de 15 de marzo de 1888.

#### ARTÍCULO II.

El presente Convenio sera ratificado por el Presidente de los

the United States of America, by and with the advice and consent of the Senate thereof; and by the President of the United States of Venezuela, by and with the advice and consent of the Congress thereof; and the ratifications shall be exchanged at Washington, as soon as possible within the time specified in Article I hereof as the period of extension of the time for the exchange of ratifications of the Convention signed at Washington, on the 5th day of December, 1885, and of the Convention signed at Washington on the 15th day of March, 1888.

In witness whereof, the respective Plenipotentiaries have signed and sealed the present Convention in duplicate, in the English and Spanish languages.

Done at Washington, this fifth day of October, in the year of our Lord, one thousand eight hundred and eighty-eight.

T. F. BAYARD. [SEAL.]  
F<sup>co</sup> ANT<sup>o</sup> SILVA. [SEAL.]

Estados Unidos de América, con el consejo y consentimiento del Senado de dichos Estados; y por el Presidente de los Estados Unidos de Venezuela, con el consejo y consentimiento del Congreso de dicha República; y las ratificaciones serán canjeadas en Washington tan pronto como sea posible dentro del término especificado en el artículo I como próroga del tiempo estipulado para el cambio de las ratificaciones del Convenio firmado en Washington en 5 de diciembre de 1885, y del tiempo estipulado para el cambio de las ratificaciones del Convenio firmado en Washington el 15 de marzo de 1888.

En prueba y fé de lo cual, los respectivos Plenipotenciarios han firmado y sellado el presente Convenio, por duplicado, en los idiomas inglés y español.

Hecho en la ciudad de Washington, á cinco de Octubre de mil ochocientos ochenta y ocho.

And whereas the said Supplementary Convention has been duly ratified on both parts, and the ratifications of the same were exchanged at the City of Washington, on the third day of June, one thousand eight hundred and eighty-nine;

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the said Supplementary Convention to be made public, to the end that the same, and every article and clause thereof, may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington this 4th day of June in the year of our Lord one thousand, eight hundred and eighty-nine, and of the [SEAL.] Independence of the United States of America, the one hundred and thirteenth.

BENJ. HARRISON

By the President:

JAMES G. BLAINE

*Secretary of State.*



## APPENDIX.

(For convenience the Convention of 1866 is reprinted.)

**CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF VENEZUELA FOR ADJUSTMENT OF CLAIMS, CONCLUDED AT CARACAS APRIL 25, 1866; RATIFICATION ADVISED BY SENATE JULY 5, 1866; RATIFIED BY PRESIDENT AUGUST 8, 1866; RATIFICATIONS EXCHANGED AT CARACAS APRIL 17, 1867; PROCLAIMED MAY 29, 1867.**

The conclusion of a convention similar to those entered into with other republics, and by which the pending American claims upon Venezuela, might be referred for decision to a Mixed Commission and an Umpire, having been proposed to the Venezuelan Government on behalf of the United States of America, as a means of examining and justly terminating such claims; and it having been thought that the adoption of the contemplated course will secure, at least, some of the advantages attending Arbitration, so strongly recommended in article the 112th of the Federal Constitution of Venezuela, while it will preserve unimpaired as reciprocally desired, the good understanding of both nations, the Citizen First Vice-President in charge of the Presidency has accepted the above proposal and authorized the Minister for Foreign Relations to negotiate and sign the proper convention. Thereupon said Minister and Mr. E. D. Culver, Minister Resident of the United States of America, also duly empowered for that purpose, have agreed upon the following articles of Convention:

Habiéndose propuesto al Gobierno, de parte de los Estados Unidos de América, como medio de considerar y resolver en justicia las reclamaciones pendientes de Ciudadanos de ellos contra los Estados Unidos de Venezuela, la celebracion de un convenio análogo á los ajustados con otras repúblicas, y por el cual se pone la decision de tales asuntos en manos de una Comision Mixta y de un tercero en discordia; y habiéndose juzgado que así se logran siquiera en parte, las ventajas del arbitramento, tan recomendado en el artículo 112 de la Constitucion Federal de Venezuela, al paso que se mantendrá siempre desembarazada la buena correspondencia de ambas naciones, segun mutuamente se desea: el Ciudadano Primer Designado en ejercicio de la Presidencia ha suscrito á la propuesta y expedido al Ministro de Relaciones Exteriores las órdenes consiguientes para negociar y firmar la convention respectiva. En esta virtud, dicho Ministro y el Señor E. D. Culver, Ministro Residente de los Estados Unidos de América, provisto de autorizacion bastante, han convenido en los artículos siguientes—

## ARTICLE I.

All claims on the part of corporations, companies or individuals, citizens of the United States upon the Government of Venezuela which may have been presented to their Government or to its legation in Caracas shall be submitted for examination and decision to a Mixed Commission consisting of two members, one of whom shall be appointed by the Government of the United States, and the other by that of Venezuela. In case of death, absence, resignation or incapacity of either of the Commissioners, or in the event of either of them omitting or ceasing to act, the Government of the United States, or that of Venezuela respectively, or the Minister of the United States in Caracas, by authority of his Government shall forthwith proceed to fill the vacancy.

The Commissioners so named, shall meet in the city of Caracas within four months from the exchange of the ratifications of this convention; and before proceeding to business, they shall make solemn oath that they will carefully examine and impartially decide according to justice, and in compliance with the provisions of this convention, all claims submitted to them; and such oath shall be entered on the record of their proceedings.

The Commissioners shall then proceed to appoint an Umpire, to decide upon any case or cases concerning which they may disagree or upon any point of difference, that may arise in the course of their proceedings. And if they cannot agree in the selection, the Umpire shall be named by the Diplomatic Representative either of Switzerland or of Russia in Washington, on the previous invitation of the high contracting parties.

## ARTÍCULO I.

Todas las reclamaciones contra Venezuela que corporaciones, compañías ó ciudadanos particulares de los Estados Unidos de América hayan presentado á su Gobierno ó á la legacion de ellos en Carácas, serán sometidas al examen y decision de una Comision Mixta compuesta de dos individuos nombrados uno por el Gobierno de Venezuela y otro por el de los Estados Unidos. En los casos de muerte, ausencia, renuncia ó incapacidad de alguno de los Comisionados, ó de que falte ó cese en el ejercicio de sus funciones, el Gobierno de Venezuela ó el de los Estados Unidos respectivamente ó el Ministro de los Estados Unidos en Carácas con autorizacion de su Gobierno procederán inmediatamente á llenar la vacante.

Los Comisionados así elegidos se reunirán en la ciudad de Carácas dentro de cuatro meses contados desde el canje de las ratificaciones de este Convenio; y ántes de entrar en el ejercicio de su encargo prestarán el solemne juramento de examinar escrupulosamente y decidir con imparcialidad y justicia y segun lo estipulado en este convenio todas las reclamaciones que les fueren sometidas. Tal juramento constará en el registro de sus trabajos.

Los Comisionados procederán en seguida á nombrar un árbitro, para que decida los casos en que ellos no estén de acuerdo, ó las diferencias que se susciten en el curso de sus actos. Si no pudiesen convenirse en la eleccion del árbitro, este sera nombrado por el Agente diplomático de Suiza ó el de Rusia en Washington, previa invitacion de las altas partes contratantes.

## ARTICLE II.

So soon as the Umpire shall have been appointed, the Commissioners shall proceed without delay to examine the claims, which may be presented to them, under this convention; and they shall, if required, hear one person in behalf of each Government on every separate claim. Each Government shall furnish, on request of either Commissioner, all such documents and papers in its possession, as may be deemed important to the just determination of any claim.

In cases, where they agree to award an indemnity, they shall determine the amount to be paid, and issue certificates of the same. In cases, when the Commissioners cannot agree, the points of difference shall be referred to the Umpire before whom each of the Commissioners may be heard, and whose decision shall be final.

The Commissioners shall make such decision as they shall deem, in reference to such claims, conformable to justice, even though such decisions amount to an absolute denial of illegal pretensions, since the including of any such in this convention is not to be understood as working any prejudice in favor of any one, either as to principles of right or matters of fact.

## ARTICLE III.

The Commissioners shall issue certificates of the sums to be paid to the claimants respectively by virtue of their decisions, or those of the Umpire; and the aggregate amount of all sums awarded by the Commissioners, and of all sums, accruing from awards made by the Umpire, shall be paid to the Government of the United States. Payment of said sums shall be made in equal annual payments, to be completed

## ARTÍCULO II.

Luego que haya sido nombrado el árbitro, los Comisionados procederán sin demora á examinar las reclamaciones que se les presenten en virtud de este convenio; y oirán, si fuere necesario, á una persona de parte de cada Gobierno sobre cada reclamacion. Cada Gobierno suministrará á los Comisionados, á solicitud de cualquiera de ellos, todos los documentos y papeles que estén en su poder y se juzquen importantes para determinar en justicia cualquier reclamacion.

Cuando los Comisionados convengan en otorgar alguna indemnizacion, fijarán la cantidad que deba pagarse y expedirán certificados al efecto. En los casos en que no puedan ponerse de acuerdo, los puntos de discordia se someterán al árbitro, ante el cual podrá ser vido cada uno de los Comisionados, y cuya decision será definitiva.

Los Comisionados librarán acerca de las reclamaciones las sentencias que estimen arregladas á justicia, aunque por ellas se nieguen absolutamente las pretensiones ilegítimas; pues con su inclusion en este convenio nada se prejuzga á favor de ninguna, ni en cuanto á los principios de derecho ni á los puntos de hecho.

## ARTÍCULO III.

Los Comisionados expedirán certificados de las sumas que hayan de pagarse á los reclamantes respectivamente en virtud de sus fallos ó de los fallos del árbitro; y el importe total de las dichas sumas concedidas por los Comisionados ó por el árbitro, será pagado al Gobierno de los Estados Unidos. El pago se hará en porciones anuas iguales, debiendo quedar completo dentro de diez años contados desde la fecha

within ten years from the date of the termination of the labors of the commission; the first payment to be made six months from the same date. Semi-annual interest shall be paid on the several sums awarded, at a rate of five per cent. per annum from the date of the termination of the labors of the Commission.

#### ARTICLE IV.

The Commission shall terminate its labors in twelve months from the date of its organization, except that thirty days extension may be given to issue certificates, if necessary, on the decisions of the Umpire in the case referred to in the following article. They shall keep a record of their proceedings, and may appoint a Secretary.

#### ARTICLE V.

The decisions of this Commission and those, (in case there may be any) of the Umpire, shall be final and conclusive as to all pending claims at the date of their installation. Claims which shall not be presented within the twelve months, herein prescribed will be disregarded by both Governments, and considered invalid.

In the event, that upon the termination of the labors of said Commission, there should remain pending one or more cases before the Umpire, awaiting his decision, the said Umpire is authorized to make his decision and transmit same to the Commissioners, who shall issue their certificates thereupon and communicate [them] to each Government, which shall be held binding and conclusive; provided however that his decision shall be given within thirty days from the termination of the labors of the Commission, and after the expiration of the said thirty days, any decision made shall be void and of no effect.

del término de los trabajos de la Comision, y empezarse á los seis meses de la misma fecha. Por las varias sumas decretadas se pagará cada seis meses el interes de cinco por ciento al año, entendiéndose que no empieza á correr hasta la fecha en que la Comision concluya sus tareas.

#### ARTÍCULO IV.

La Comision terminará sus trabajos á los doce meses contados desde el dia de su instalacion, aunque podrá tener una próroga de treinta dias, se fuere necesaria, para certificar las decisiones del árbitro en el caso de que trata el artículo siguiente: Llevará un registro de sus actos y podrá nombrar un Secretario.

#### ARTÍCULO V.

Los fallos de esta Comision y en su caso los del árbitro decidirán definitiva é irrevocablemente todas las reclamaciones pendientes el dia de su instalacion. Las que no se presenten dentro de los doce meses aquí prescritos, serán desechadas por ambos Gobiernos y se considerarán nulas.

En caso de que, al concluirse los trabajos de dicha Comision, quedaren pendientes una ó mas decisiones del árbitro, se autoriza á este para pronunciar su fallo y enviarlo á los Comisionados, que lo certificarán y trasmitirán á cada Gobierno, teniéndose como obligatorio é irrevocable. Sin embargo, el árbitro deberá dar sus decisiones dentro de los treinta dias siguientes al término de las labores de la Comision, quedando sin valor ni efecto las que pronunciare despues.

## ARTICLE VI.

Each Government shall pay its own Commissioner and shall pay one-half of what may [be] due the Umpire and Secretary, and one-half the incidental expenses of the Commission.

## ARTICLE VII.

The present Convention shall be ratified, and the ratifications exchanged, so soon as may be practicable in the City of Caracas.

In testimony whereof the Plenipotentiaries have signed this Convention and hereunto affixed the seals of the Ministry of Foreign Relations of the United States of Venezuela, and of the Legation of the United States of America in Caracas this twenty-fifth day of April, in the year one thousand eight hundred and sixty-six.

*The Minister Resident of the United States of America,*  
E. D. CULVER. [SEAL.]

*The Minister of Foreign Relations of the United States of Venezuela,*  
RAFAEL SEIJAS. [SEAL.]

## ARTÍCULO VI.

Cada Gobierno costeará su respectivo Comisionado, pagará la mitad de lo que se asigne al árbitro y al secretario, y tambien satisfará los gastos accidentales de la Comision.

## ARTÍCULO VII.

La presente convencion será ratificada y sus ratificaciones se cangearán en la ciudad de Carácas cuanto ántes fuere posible.

En fé de lo cual los Plenipotenciarios han firmado esta convencion y selládola con los sellos del Ministerio de Relaciones Exteriores de los Estados Unidos de Venezuela y de la legacion de los Estados Unidos de América en Carácas á veinte y cinco de Abril de mil ochocientos sesenta y seis.



CONVENTION

BETWEEN

THE UNITED STATES OF AMERICA AND THE  
UNITED STATES OF VENEZUELA,

PROVIDING FOR A

REFERENCE TO ARBITRATION OF THE CLAIM OF THE VENEZUELA STEAM TRANSPORTATION COMPANY

AGAINST

THE GOVERNMENT OF VENEZUELA.

---

*Signed at Caracas, January 19, 1892.*

*Ratification advised by the Senate, March 17, 1892.*

*Ratified by the President of Venezuela, June 20, 1894.*

*Ratified by the President of the United States, July 2, 1894.*

*Ratifications exchanged at Washington, July 28, 1894.*

*Proclaimed, July 30, 1894.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION

Whereas, a Convention between the United States of America and the United States of Venezuela, providing for a reference to arbitration of the claim of the Venezuela Steam Transportation Company against the Government of Venezuela, was concluded and signed by their respective plenipotentiaries at the city of Caracas on the 19th day of January, in the year one thousand eight hundred and ninety-two, which Convention, being in the English and Spanish languages is, word for word, as follows:—

The Government of the United States of America and the United States of Venezuela, being mutually desirous of removing all causes of difference between them in a manner honorable to both parties and in consonance with their just rights and interests, have resolved to submit to arbitration the claim of the "Venezuela Steam Transportation Company", and have

Mutuamente deseosos de remover toda causa de desavenencia entre sí, de una manera honorífica para ambas partes y accorde con sus derechos é intereses, los Gobiernos de los Estados Unidos de América y de las Estados Unidos de Venezuela han resuelto someter á arbitramento la reclamación de la Compañía de Transporte por vapor de Venezuela, y nombrado respect-

respectively named as their plenipotentiaries to conclude a Convention for that purpose:—

The President of the United States of America, William L. Scruggs, Envoy Extraordinary and Minister Plenipotentiary of the United States at Caracas;

And the President of the United States of Venezuela, Doctor Rafael Seijas, legal adviser for the Department of Foreign Relations;

Who, after having exhibited their respective full powers, found in good and due form, have agreed upon the following Articles:—

#### ARTICLE I.,

The high contracting parties agree to submit to arbitration the question whether any, and, if any, what indemnity shall be paid by the Government of the United States of Venezuela to the Government of the United States of America for the alleged wrongful seizure, detention and employment in war or otherwise of the Steamships *Hero*, *Nutrias* and *San Fernando*, the property of the "Venezuela Steam Transportation Company", a corporation existing under the laws of the State of New York, and a citizen of the United States, and the imprisonment of its officers, citizens of the United States.

#### ARTICLE II.,

The question stated in Article I, shall be submitted to a board of three Commissioners, one to be appointed by the President of the United States of America, one by the President of the United States of Venezuela, and the third who shall not be either an American or a Venezuelan citizen, to be chosen by the two appointed as aforesaid; but if, within ten days from the time of their first meeting as hereinafter provided, they cannot agree

ivamente como sus Plenipotenciarios para concluir á ese fin un convenio:

El Presidente de los Estados Unidos de América, al Señor William L. Scruggs, Enviado Extraordinario y Ministro Plenipotenciario de ellos en Caracas;

Y el Presidente de los Estados Unidos de Venezuela, al ciudadano Doctor Rafael Seijas, Consultor del Ministerio de Relaciones Exteriores;

Los cuales, después de haberse exhibido sus respectivos plenos poderes, hallados en buena y debida forma, han convenido en los artículos siguientes:

#### ARTÍCULO 1º.

Las Altas Partes contratantes convienen en someter á arbitramento la cuestión de si el Gobierno de los Estados Unidos de Venezuela debe pagar al Gobierno de los Estados Unidos de América alguna indemnización, y, en caso afirmativo, el quantum de ella por alegado injusto embargo, detencion y empleo en guerra ó en otra cosa de los vapores Héroe, Nutrias y San Fernando, de la propiedad de la "Compañía de Transporte por vapor de Venezuela," corporación establecida con arreglo á las leyes del Estado de Nueva York, y ciudadano de los Estados Unidos, y por la prisión de sus empleados, ciudadanos de los Estados Unidos.

#### ARTÍCULO 2º.

La cuestión expresada en el artículo 1º lo será sometida á una Junta de tres comisionados, elegidos uno por el Presidente de los Estados Unidos de América, otro por el Presidente de los Estados Unidos de Venezuela, y el tercero, que no debe ser ciudadano Americano ni Venezolano, por los dos así nombrados; mas, si dentro de diez días contados desde el de su primera reunión, según lo dispuesto en adelante, no pudieren



upon the third Commissioner, the Secretary of State of the United States and the Venezuelan Minister at Washington shall forthwith request either the Diplomatic representative of Belgium or that of Sweden and Norway at that capital to name him subject to the restriction aforesaid.

The Commissioners to be chosen by the President of the United States of America and the President of the United States of Venezuela shall be appointed within a month from the date of the exchange of the ratifications of this Convention.

In case of the death, resignation or incapacity of any of the Commissioners, or in the event of any of them ceasing or omitting to act, the vacancy shall be filled in the same manner as is herein provided for the original appointment.

#### ARTICLE III.,

The Commissioners appointed by the President of the United States of America and the President of the United States of Venezuela shall meet in the city of Washington at the earliest convenient moment within three months from the date of the exchange of the ratifications of this Convention, and shall proceed to the selection of a third Commissioner.

When such commissioner shall have been chosen, either by agreement between the two first named; or in the alternate manner hereinbefore provided, the three Commissioners shall meet in the city of Washington at the earliest practicable moment within five months from the date of the exchange of the ratifications of this Convention, and shall subscribe, as their first act, a solemn declaration to examine and decide the claim submitted to them in accordance with justice and equity and the principles of international law.

The concurrent judgment of any two of the Commissioners shall be

convenir en el tercer comisionado, entonces el Secretario de Estado de los Estados Unidos y el Ministro de Venezuela en Washington pedirán inmediatamente que lo nombre, con la restricción dicha, al Representante Diplomático de Bélgica ó al de Suecia y Noruega en aquella capital. Los Comisionados elegibles por el Presidente de los Estados Unidos de América y el Presidente de los Estados Unidos de Venezuela, serán nombrados dentro de un mes, contando desde la fecha del canje de las ratificaciones de este convenio. En caso de muerte, renuncia ó incapacidad de alguno de los comisionados y en el de cesar ó no entrar en sus funciones, se llenará la vacante del mismo modo que se dispone aquí respecto del primer nombramiento.

#### ARTÍCULO 3º.

Los Comisionados nombrados por el Presidente de los Estados Unidos de América y el Presidente de los Estados Unidos de Venezuela se reunirán en la ciudad de Washington, cuanto antes les sea posible, dentro de tres meses contados desde la fecha del canje de las ratificaciones de este convenio, y procederán á elegir el tercero.

Elegido tal comisionado ó por acuerdo entre los dos primeramente nombrados o del modo alternativo aquí antes dispuesto, los tres comisionados se reunirán en la ciudad de Washington lo más pronto que les fuere dable, dentro de cinco meses contados desde la fecha del canje de las ratificaciones de este convenio, y su primer acto será suscribir la solemne declaración de examinar y decidir la reclamación á ellos sometida conforme á justicia y equidad y á los principios del derecho internacional.

El juicio acorde de dos cualesquiera de los comisionados, bas-

adequate for the decision of any question that may come before them, and for the final award.

#### ARTICLE IV.,

The Commissioners shall decide the claim on the Diplomatic correspondence between the two Governments relative thereto, and on such legal evidence as may be submitted to them by the high contracting parties within two months from the date of the first meeting of the full Commission.

Their decision shall be rendered within three months at farthest from the date of such first meeting, and shall be final and conclusive.

They shall hear one person as Agent in behalf of each Government and consider such arguments as either of such persons may present; and may, in their discretion, hear other counsel either in support of or in opposition to the claim.

#### ARTICLE V.,

If the award shall be in favor of the United States of America, the amount of the indemnity, which shall be expressed in American gold, shall be paid in cash at the city of Washington, in equal annual sums, without interest, within five years from the date of the award, the first of the five payments to be made within eight months from that date. Each Government shall pay its own commissioner and agent, and all other expenses including clerk hire shall be borne by the two Governments in equal moieties.

#### ARTICLE VI.,

This Convention shall be ratified by the President of the United States of America by and with the advice and consent of the Senate thereof; and by the President of the United States of Venezuela, with the approval of the Congress thereof; and the ratifications shall

tará para la decisión de toda cuestión que se les presente, y para el fallo definitivo.

#### ARTÍCULO 4º.

Los comisionados decidirán de la reclamación el mérito de la correspondencia diplomática que sobre ella ha mediado entre los dos Gobiernos, y de las pruebas legales que podrán someterles las Altas Partes contratantes dentro de dos meses contados desde la fecha de la primera junta de la Comisión plena. Su decisión será dada, cuando mas tarde, dentro de tres meses de la fecha de su primera reunión, y tendrá el carácter de definitiva y concluyente. Deberán oír á una persona que sirva de Agente á cada Gobierno y considerar los argumentos que ella presente, y á su discreción podrán oír otro abogado en pro ó en contra de la reclamación.

#### ARTÍCULO 5º.

Si la sentencia fuere a favor de los Estados Unidos de América, el importe de la indemnización, que ha de expresarse en oro Americano, será pagado en efectivo en la ciudad de Washington en porciones anuales iguales sin intereses, dentro de cinco años contados desde la fecha de la sentencia, debiendo efectuarse el primero de los cinco pagos dentro de ocho meses de aquella fecha.

Cada Gobierno pagará su propio comisionado; y la mitad de todos los demas gastos, inclusive el sueldo de secretario.

#### ARTÍCULO 6º.

Este convenio sera ratificado por el Presidente de los Estados Unidos de América, con el consejo y consentimiento de Senado de los mismos, y por el Presidente de los Estados Unidos de Venezuela con la aprobación del Congreso de ellos, y las ratificaciones se can-

be exchanged at Washington as soon as possible.

In witness whereof, the respective plenipotentiaries have signed and sealed the present Convention in duplicate, in the English and Spanish languages.

Done at Caracas this nineteenth day of January, in the year of our Lord one thousand eight hundred and ninety-two.

[SEAL.] WILLIAM L. SCRUGGS  
[SEAL.] RAFAEL SEIJAS.

jearán en Washington cuanto antes sea posible.

En testimonio de lo cual los respectivos plenipotenciarios han firmado y sellado por duplicado el presente convenio en inglés y en español.

Hecho en Caracas, á diez y nueve de Enero del año del Señor mil ochocientos noventa dos.

[SEAL.] WILLIAM L. SCRUGGS,  
[SEAL.] RAFAEL SEIJAS.

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Washington on the 28th day of July, one thousand eight hundred and ninety-four;

Now, therefore, be it known that I, Grover Cleveland, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this 30th day of July, in the year of our Lord, one thousand eight hundred and ninety-four, and  
[SEAL.] of the Independence of the United States the one hundred and nineteenth.

GROVER CLEVELAND

By the President:

W. Q. GRESHAM

*Secretary of State.*







## CONVENTION

BETWEEN

THE UNITED STATES OF AMERICA, BELGIUM, BRAZIL,  
ITALY, PORTUGAL, SERBIA, AND SPAIN

FOR THE

IMMEDIATE EXCHANGE OF THE OFFICIAL JOURNALS, PARLIAMENT-  
ARY ANNALS, AND DOCUMENTS.

---

*Concluded at Brussels March 15, 1886.*

*Ratification advised by the Senate June 18, 1888.*

*Ratified by the President July 19, 1888.*

*Ratifications exchanged January 14, 1889.*

*Proclaimed January 15, 1889.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Whereas a Convention to assure the immediate exchange of the official journal as well as of the parliamentary annals and documents of the States adhering thereto, was concluded and signed at Brussels, Belgium, on the 15th day of March, 1886, by the Plenipotentiaries of the United States of America, Belgium, Brazil, Italy, Portugal and the Algarves, Servia and Spain, which Convention being in the French language, is word for word as follows :

[Translation.]

Le Président des Etats-Unis d'Amérique, Sa Majesté le Roi des Belges, Sa Majesté l'Empereur du Brésil, Sa Majesté la Reine Régente d'Espagne, Sa Majesté le Roi d'Italie, Sa Majesté le Roi de Portugal et des Algarves, Sa Majesté le Roi de Serbie, désirant assurer l'échange immédiat du journal officiel ainsi que des annales et des documents parlementaires de leurs Etats

The President of the United States of America, His Majesty the King of the Belgians, His Majesty the Emperor of Brazil, Her Majesty the Queen Regent of Spain, His Majesty the King of Italy, His Majesty the King of Portugal and of the Algarves, His Majesty the King of Servia, desiring to assure the immediate exchange of the Official Journal as well as of the parliamentary

respectifs ont nommé pour leurs Plénipotentiaires, savoir:

Le Président des Etats-Unis d'Amérique, Mr. Lambert Tree, Ministre Résident des Etats-Unis d'Amérique à Bruxelles,

Sa Majesté le Roi des Belges, Mr. le Prince de Camaran, son Ministre des Affaires Etrangères, et Mr. le Chevalier de Moreau, son Ministre de l'Agriculture, de l'Industrie et des Travaux Publics,

Sa Majesté l'Empereur du Brésil, Mr. le Comte de Villeneuve, Son Envoyé Extraordinaire & Ministre Plénipotentiaire près Sa Majesté le Roi des Belges,

Sa Majesté la Reine Régente d'Espagne, Mr. de Tavira, Chargé d'Affaires ad interim d'Espagne à Bruxelles,

Sa Majesté le Roi d'Italie, Mr. le Marquis Maffei, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges,

Sa Majesté le Roi de Portugal et des Algarves, le Baron de Sant' Anna, Envoyé Extraordinaire & Ministre Plénipotentiaire de Sa Majesté Très-Fidèle,

Sa Majesté le Roi de Serbie, Mr. Marinovitch, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges,

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne & due forme, sont convenus des Articles suivants:

#### ARTICLE I.

Indépendamment des obligations qui résultent de l'Article 2 de la Convention générale de ce jour, relative à l'échange de documents officiels et des publications scientifiques et littéraires, les Gouvernements respectifs s'engagent à faire expédier aux chambres législatives de chaque Etat contractant, au fur & à mesure de

Annals and Documents of their respective States, have named as their Plenipotentiaries, to wit:

The President of the United of America, Mr. Lambert Tree, Minister Resident of the United States of America at Brussels,

His Majesty the King of the Belgians, The Prince de Camaran, His Minister of Foreign Affairs, and the Chevalier de Moreau, His Minister of Agriculture, Industry and Public Works,

His Majesty the Emperor of Brazil, The Count de Villeneuve, His Envoy Extraordinary and Minister Plenipotentiary near His Majesty the King of the Belgians,

Her Majesty the Queen Regent of Spain, Mr. de Tavira, Chargé d'Affaires, ad interim, of Spain at Brussels,

His Majesty the King of Italy, The Marquis Maffei, His Envoy Extraordinary and Minister Plenipotentiary near His Majesty the King of the Belgians,

His Majesty the King of Portugal and of the Algarves, the Baron de Sant' Anna, Envoy Extraordinary and Minister Plenipotentiary of His Very Faithful Majesty,

His Majesty the King of Servia, Mr. Marinovitch, His Envoy Extraordinary and Minister Plenipotentiary near His Majesty the King of the Belgians.

Who, after having communicated between themselves their full powers, found in good and due form, have agreed upon the following Articles:

#### ARTICLE I.

Independently of the obligations which result from Article 2 of the General Convention of this day, relative to the exchange of official documents and of scientific and literary publications, the respective Governments undertake to have transmitted to the legislative chambers of each contracting State, as fast as their



leur publication, un exemplaire du journal officiel, ainsi que des annales & des documents parlementaires livrés à la publicité.

## ARTICLE II.

Les Etats qui n'ont pas pris part à la présente Convention sont admis à y adhérer sur leur demande.

Cette adhésion sera notifiée, par la voie diplomatique au Gouvernement belge et par ce Gouvernement à tous les autres Etats Signataires.

## ARTICLE III.

La présente Convention sera ratifiée et les ratifications seront échangées à Bruxelles aussitôt que faire se pourra. Elle est conclue pour dix ans, à partir du jour de l'échange des ratifications et elle continuera à subsister au delà de ce délai tant que l'un des Gouvernements n'aura pas déclaré six mois à l'avance qu'il y renonce.

En foi de quoi, les Plénipotentiaires respectifs l'ont signée et y ont apposé leurs cachets.

Fait à Bruxelles en sept exemplaires, le 15 Mars 1886.

[SEAL]	LAMBERT TREE
[SEAL]	PR. DE CAMARAN
[SEAL]	CH'V'LIER D. MOREAU
[SEAL]	DE VILLENEUVE
[SEAL]	JOSÉ MA. DE TAVIRA
[SEAL]	MAFFEI
[SEAL]	B'ON DE SANT' ANNA
[SEAL]	I. MARINOVITCH

publication, a copy of the Official Journal, as well as of the parliamentary Annals and Documents, which are given publicity.

## ARTICLE II.

The States which have not taken part in the present Convention are admitted to adhere thereto on their request.

This adhesion will be notified diplomatically to the Belgian Government, and by that Government to all the other signatory States.

## ARTICLE III.

The present Convention will be ratified and the ratifications will be exchanged at Brussels as soon as practicable. It is concluded for ten years from the day of the exchange of the ratifications and it will remain in force beyond that time, so long as one of the Governments shall not have declared six months in advance that it renounces it.

In witness whereof, the respective Plenipotentiaries have signed it, and have thereunto affixed their seals.

Done at Brussels, in seven copies the 15th. of March, 1886.

[L. S.]	LAMBERT TREE
[L. S.]	PR. DE CAMARAN
[L. S.]	CH'V'LIER D. MOREAU
[L. S.]	CTE. DE VILLENEUVE
[L. S.]	JOSÉ MA. DE TAVIRA
[L. S.]	MAFFEI
[L. S.]	B'ON DE SANT' ANNA
[L. S.]	I. MARINOVITCH

And whereas the Plenipotentiary of the United States of America did, on the 17th day of November, 1888, deposit the President's ratification of the said Convention with His Excellency the Minister of Foreign Affairs of Belgium, for delivery to the Plenipotentiaries of the other signatory States, on the occasion of their re-assembling to exchange the ratifications of the said Convention ;

And whereas the Plenipotentiaries of the several Contracting Parties did, on the 14th day of January, 1889, exchange the ratifications of the said Convention ;

Now, therefore, be it known that I, Grover Cleveland, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington this 15th day of January, in the year of our Lord one thousand eight hundred and eighty-nine, and of the Independence of the United States the one hundred and thirteenth.

[SEAL]

GROVER CLEVELAND

By the President:

T. F. BAYARD

*Secretary of State.*

○









## GENERAL ACT

BETWEEN

THE UNITED STATES OF AMERICA AND OTHER POWERS

FOR THE REPRESSION OF THE AFRICAN SLAVE TRADE AND  
THE RESTRICTION OF THE IMPORTATION INTO, AND SALE  
IN, A CERTAIN DEFINED ZONE OF THE AFRICAN CONTINENT,  
OF FIREARMS, AMMUNITION AND SPIRITUOUS LIQUORS.

---

*Signed at Brussels July 2, 1890.*

*Ratification advised by the Senate January 11, 1892.*

*Ratification of protocol advised by the Senate January 11, 1892.*

*Ratified by the President January 19, 1892.*

*Ratification deposited with the Government of the King of the Belgians February 2, 1892.*

*Proclaimed April 2, 1892.*

*Act to take effect April 2, 1892.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A. PROCLAMATION.

Whereas a General Act for the repression of the African slave trade and the restriction of the importation into, and sale in, a certain defined zone of the African continent, of firearms, ammunition and spirituous liquors, was concluded and signed on the 2nd. day of July, 1890, by the Plenipotentiaries of the United States of America, Germany, Austria-Hungary, Belgium, Denmark, Spain, the Independent State of the Congo, the French Republic, Great Britain, Italy, the Netherlands, Persia, Portugal, Russia, Sweden and Norway, the Ottoman Empire and Zanzibar, the original of which Act, being in the French language, is word for word as follows:

[Translation.]

AU NOM DE DIEU TOUT-PUISSANT.

Le Président des États-Unis d'Amérique;

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse, au nom de l'Empire Allemand;

IN THE NAME OF GOD ALMIGHTY.

The President of the United States of America;

His Majesty the German Emperor, King of Prussia, in the name of the German Empire;

Sa Majesté l'Empereur d'Autriche,  
roi de Bohême, etc., et Roi  
Apostolique de Hongrie;  
Sa Majesté le Roi des Belges;

Sa Majesté le Roi de Danemark;  
Sa Majesté le Roi d'Espagne et en  
Son Nom Sa Majesté la Reine  
Régente du Royaume;

Sa Majesté le Roi Souverain de  
l'État Indépendant du Congo;  
Le Président de la République  
Française;

Sa Majesté la Reine du Royaume-  
Uni de la Grande-Bretagne et  
d'Irlande, Impératrice des In-  
des;

Sa Majesté le Roi d'Italie;  
Sa Majesté le Roi des Pays-Bas,  
Grand-Duc de Luxembourg,  
etc.;

Sa Majesté le Shah de Perse;  
Sa Majesté le Roi de Portugal et  
des Algarves, etc., etc.;

Sa Majesté l'Empereur de toutes les  
Russies;

Sa Majesté le Roi de Suède et de  
Norvège, etc., etc.;

Sa Majesté l'Empereur des Otto-  
mans et

Sa Hautesse le Sultan de Zanzibar;

Également animés de la ferme  
volonté de mettre un terme aux  
crimes et aux dévastations qu'en-  
gendre la traite des esclaves afri-  
cains, de protéger efficacement les  
populations aborigènes de l'Afrique  
et d'assurer à ce vaste continent les  
bienfaits de la paix et de la civilisa-  
tion;

Voulant donner une sanction  
nouvelle aux décisions déjà prises  
dans le même sens et à diverses

His Majesty the Emperor of Aus-  
tria, King of Bohemia, &c., and  
Apostolic King of Hungary;  
His Majesty the King of the Bel-  
gians;

His Majesty the King of Denmark;  
His Majesty the King of Spain,  
and in his name Her Majesty  
the Queen Regent of the King-  
dom;

His Majesty the Sovereign of the  
Independent State of the Congo;  
The President of the French Re-  
public;

Her Majesty the Queen of the  
United Kingdom of Great Brit-  
ain and Ireland, Empress of In-  
dia;

His Majesty the King of Italy;  
His Majesty the King of the  
Netherlands, Grand Duke of  
Luxemburg;

His Majesty the Shah of Persia;  
His Majesty the King of Portugal  
and the Algarves, &c.;

His Majesty the Emperor of all  
the Russias;

His Majesty the King of Sweden  
and Norway, &c.;

His Majesty the Emperor of the  
Ottomans; and

His Highness, the Sultan of Zan-  
zibar;

Being equally actuated by the firm  
intention of putting an end to the  
crimes and devastations engendered  
by the traffic in African slaves, of  
efficiently protecting the aboriginal  
population of Africa, and of secur-  
ing for that vast continent the bene-  
fits of peace and civilization;

Wishing to give fresh sanction to  
the decisions already adopted in the  
same sense and at different times by



époques par les Puissances, compléter les résultats qu'elles ont obtenus et arrêter un ensemble de mesures qui garantissent l'accomplissement de l'œuvre qui fait l'objet de leur commune sollicitude ;

Ont résolu, sur l'invitation qui leur a été adressée par le gouvernement de Sa Majesté le Roi des Belges, d'accord avec le gouvernement de Sa Majesté la Reine du Royaume-Uni de la Grande Bretagne et d'Irlande, Impératrice des Indes, de réunir à cet effet une Conférence à Bruxelles, et ont nommé pour leurs Plénipotentiaires, savoir :

LE PRÉSIDENT DES ÉTATS-UNIS D'AMÉRIQUE,

le Sieur Edwin H. Terrell, Envoyé Extraordinaire et Ministre Plénipotentiaire des États-Unis d'Amérique près Sa Majesté le Roi des Belges,  
et

le Sieur Henry Shelton Sanford ;

SA MAJESTÉ L'EMPEREUR D'ALLEMAGNE, ROI DE PRUSSE, AU NOM DE L'EMPIRE ALLEMAND,

le Sieur Frédéric Jean Comte d'Alvensleben, Son Chambellan et Conseiller intime actuel, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges,  
et

le Sieur Guillaume Göhring, Son Conseiller intime de légation, Consul Général de l'Empire d'Allemagne à Amsterdam ;

SA MAJESTÉ L'EMPEREUR D'AUTRICHE, ROI DE BOHÈME ET ROI APOSTOLIQUE DE HONGRIE,

le Sieur Rodolphe Comte Khevenhüller-Metsch, Son Chambellan, Son Envoyé Extraordinaire et

the powers, to complete the results secured by them, and to draw up a body of measures guaranteeing the accomplishment of the work which is the object of their common solicitude ;

Have resolved, in pursuance of the invitation addressed to them by the Government of His Majesty the King of the Belgians, in agreement with the Government of Her Majesty the Queen of Great Britain and Ireland, Empress of India, to convene for this purpose a conference at Brussels, and have named as their plenipotentiaries :

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

Mr. Edwin H. Terrell, Envoy Extraordinary and Minister Plenipotentiary of the United States of America near His Majesty the King of the Belgians, and

Mr. Henry Shelton Sanford ;

HIS MAJESTY THE EMPEROR OF GERMANY, KING OF PRUSSIA, IN THE NAME OF THE GERMAN EMPIRE,

Frederic John, Count of Alvensleben, His Chamberlain and Actual Privy Councillor, His Envoy Extraordinary and Minister Plenipotentiary near His Majesty the King of the Belgians, and

Mr. William Goehring, His Privy Councillor of Legation, Consul-General of the German Empire at Amsterdam ;

HIS MAJESTY THE EMPEROR OF AUSTRIA, KING OF BOHEMIA AND APOSTOLIC KING OF HUNGARY,

Rodolphe Count Khevenhüller-Metsch, His Chamberlain, His Envoy Extraordinary and Min-

Ministre Plénipotentiaire près Sa  
Majesté le Roi des Belges,  
SA MAJESTÉ LE ROI DES BELGES,

le Sieur Auguste Baron Lamber-  
mont, Son Ministre d'Etat, Son  
Envoyé Extraordinaire et Mi-  
nistre Plénipotentiaire,  
et

le Sieur Émile Banning, Directeur  
Général au Ministère des Affaires  
Étrangères de Belgique ;

SA MAJESTÉ LE ROI DE DANEMARK,  
le Sieur Frédéric-George Schack  
de Brockdorff, Consul Général  
de Danemark à Anvers ;

SA MAJESTÉ LE ROI D'ESPAGNE, ET  
EN SON NOM SA MAJESTÉ LA  
REINE RÉGENTE DU ROYAUME,

Don José Gutierrez de Agüera, Son  
Envoyé Extraordinaire et Min-  
istre Plénipotentiaire près Sa Ma-  
jesté le Roi des Belges ;

SA MAJESTÉ LE ROI-SOUVERAIN  
DE L'ÉTAT INDÉPENDANT DU  
CONGO,

le Sieur Edmond Van Eetvelde,  
Administrateur Général du Dé-  
partement des Affaires Etran-  
gères de l'État Indépendant du  
Congo,  
et

le Sieur Auguste Van Maldeghem,  
Conseiller à la Cour de Cassation  
de Belgique ;

LE PRÉSIDENT DE LA RÉPUBLIQUE  
FRANÇAISE,

le Sieur Albert Bourée, Envoyé  
Extraordinaire et Ministre plé-  
nipotentiaire de la République  
Française près Sa Majesté le Roi  
des Belges,  
et

ister Plenipotentiary near his  
Majesty the King of the Belgians,  
HIS MAJESTY THE KING OF THE BEL-  
GIANS,

Auguste Baron Lambermont, His  
Minister of State, His Envoy  
Extraordinary and Minister  
Plenipotentiary, and

M. Emile Banning, Director Gen-  
eral in the Department of For-  
eign Affairs of Belgium ;

HIS MAJESTY THE KING OF DENMARK,  
Mr. Frederic-George Schack de  
Brockdorff, Consul-General of  
Denmark at Antwerp ;

HIS MAJESTY THE KING OF SPAIN,  
AND IN HIS NAME HER MAJ-  
ESTY THE QUEEN REGENT OF  
THE KINGDOM,

Don José Gutierrez de Agüera, His  
Envoy Extraordinary and Min-  
ister Plenipotentiary near His  
Majesty the King of the Bel-  
gians ;

HIS MAJESTY THE SOVEREIGN-KING  
OF THE INDEPENDENT STATE OF  
THE CONGO,

Mr. Edmund Van Eetvelde, Ad-  
ministrator-General of the De-  
partment of Foreign Affairs of  
the Independent State of the  
Congo and

Mr. Auguste Van Maldeghem,  
Councillor in the Belgian Court  
of Cassation ;

THE PRESIDENT OF THE FRENCH RE-  
PUBLIC,

M. Albert Bourée, Envoy Extraor-  
dinary and Minister Plenipoten-  
tiary of the French Republic near  
His Majesty the King of the  
Belgians, and

le Sieur George Cogordan, Ministre Plénipotentiaire, Directeur du Cabinet du Ministre des Affaires Étrangères de France ;

SA MAJESTÉ LA REINE DU ROYAUME-UNI DE LA GRANDE-BRETAGNE ET D'IRLANDE, IMPÉRATRICE DES INDES,

Lord Vivian, Pair du Royaume-Uni, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges,

et

Sir John Kirk ;

SA MAJESTÉ LE ROI D'ITALIE,

le Sieur François de Renzis, Baron de Montanaro, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges,

et

le Sieur Thomas Catalani, Son Envoyé Extraordinaire et Ministre Plénipotentiaire ;

SA MAJESTÉ LE ROI DES PAYS-BAS, GRAND-DUC DE LUXEMBOURG,

le Sieur Louis Baron Gericke de Herwynen, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges ;

SA MAJESTÉ IMPÉRIALE LE SHAH DE PERSE,

le Général Nazare Aga, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges ;

SA MAJESTÉ LE ROI DE PORTUGAL ET DES ALGARVES,

le Sieur Henrique de Macedo Pereira Coutinho, Membre de Son Conseil, Pair du Royaume, Ministre et Secrétaire d'État honoraire, Son Envoyé Extraordinaire et Ministre Plénipotentiaire

M. George Cogordan, Minister Plenipotentiary, Director of the Office of the Minister of Foreign Affairs of France ;

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND, EMPRESS OF INDIA,

Lord Vivian, Peer of the United Kingdom, Her Envoy Extraordinary and Minister Plenipotentiary near His Majesty the King of the Belgians, and

Sir John Kirk ;

HIS MAJESTY THE KING OF ITALY,

Francis de Renzis, Baron of Montanaro, His Envoy Extraordinary and Minister Plenipotentiary near His Majesty the King of the Belgians, and

Mr. Thomas Catalani, His Envoy Extraordinary and Minister Plenipotentiary ;

HIS MAJESTY THE KING OF THE NETHERLANDS, GRAND DUKE OF LUXEMBURG,

Louis Baron Gericke de Herwynen, His Envoy Extraordinary and Minister Plenipotentiary near His Majesty the King of the Belgians ;

HIS IMPERIAL MAJESTY THE SHAH OF PERSIA,

General Nazare Aga, His Envoy Extraordinary and Minister Plenipotentiary near His Majesty the King of the Belgians ;

HIS MAJESTY THE KING OF PORTUGAL AND OF THE ALGARVES,

Mr. Henrique de Macedo Pereira Coutinho, Member of His Council, Peer of the Kingdom, Minister and Honorary Secretary of State, His Envoy Extraordinary and Minister Plenipotentiary

tentiarie près Sa Majesté le Roi des Belges;

SA MAJESTÉ L'EMPEREUR DE TOUTES LES RUSSIES,

le Sieur Léon Prince Ouroussoff, Maître de Sa Cour, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges,

et

le Sieur Frédéric de Martens, Son Conseiller d'État actuel, Membre permanent du Conseil du Ministère des Affaires Étrangères de Russie;

SA MAJESTÉ LE ROI DE SUÈDE ET DE NORVÈGE,

le Sieur Charles de Burenstam, Son Chambellan, Son Ministre Plénipotentiaire près Sa Majesté le Roi des Belges et près Sa Majesté le Roi des Pays-Bas;

SA MAJESTÉ L'EMPEREUR DES OTTOMANS,

Étienne Carathéodory Efendi, Haut Dignitaire de Son Empire, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges;

SA HAUTESSE LE SULTAN DE ZANZIBAR,

Sir John Kirk,

et

le Sieur Guillaume Göhring;

Lesquels, munis de pleins pouvoirs qui ont été trouvés en bonne et due forme, ont adopté les dispositions suivantes:

CHAPITRE I. *Pays de traite.*—*Measures à prendre aux lieux d'origine.*

#### ARTICLE I.

Les Puissances déclarent que les moyens les plus efficaces pour com-

near His Majesty the King of the Belgians;

HIS MAJESTY THE EMPEROR OF ALL THE RUSSIAS,

Leon Prince Ouroussoff, Master of His Court, His Envoy Extraordinary and Minister Plenipotentiary near His Majesty the King of the Belgians, and

Mr. Frederic de Martens, His Actual Councillor of State, Permanent Member of the Council of Foreign Affairs of Russia;

HIS MAJESTY THE KING OF SWEDEN AND NORWAY,

Mr. Charles de Burenstam, His Chamberlain, His Minister Plenipotentiary near His Majesty the King of the Belgians and near His Majesty the King of the Netherlands;

HIS MAJESTY THE EMPEROR OF THE OTTOMANS,

Étienne Carathéodory Efendi, High Dignitary of His Empire, His Envoy Extraordinary and Minister Plenipotentiary near His Majesty the King of the Belgians;

HIS HIGHNESS the SULTAN OF ZANZIBAR,

Sir John Kirk, and

Mr. William Göehring;

Who, being furnished with full powers, which have been found to be in good and due form, have adopted the following provisions:

CHAPTER I. *Slave-trade countries.*—*Measures to be taken in the places of origin.*

#### ARTICLE I.

The powers declare that the most effective means of counteracting the

battre la traite à l'intérieur de l'Afrique sont les suivants :

1<sup>o</sup> Organisation progressive des services administratifs, judiciaires, religieux et militaires dans les territoires d'Afrique placés sous la souveraineté ou le protectorat des nations civilisées ;

2<sup>o</sup> Établissement graduel, à l'intérieur, par les Puissances de qui relèvent les territoires, de stations fortement occupées, de manière que leur action protectrice ou répressive puisse se faire sentir avec efficacité dans les territoires dévastés par les chasses à l'homme ;

3<sup>o</sup> Construction de routes et notamment de voies ferrées reliant les stations avancées à la côte et permettant d'accéder aisément aux eaux intérieures et sur le cours supérieur des fleuves et rivières qui seraient coupés par des rapides et des cataractes, en vue de substituer des moyens économiques et accélérés de transport au portage actuel par l'homme ;

4<sup>o</sup> Installation de bateaux à vapeur sur les eaux intérieures navigables et sur les lacs, avec l'appui de postes fortifiés établis sur les rives ;

5<sup>o</sup> Établissement de lignes télégraphiques assurant la communication des postes et des stations avec la côte et les centres d'administration ;

6<sup>o</sup> Organisation d'expéditions et de colonnes mobiles, qui maintiennent les communications des stations entre elles et avec la côte, en appuient l'action répressive et assurent la sécurité des routes de parcours ;

7<sup>o</sup> Restriction de l'importation des armes à feu, au moins des armes perfectionnées, et des munitions dans toute l'étendue des territoires atteints par la traite.

slave-trade in the interior of Africa are the following :

1. Progressive organization of the administrative, judicial, religious, and military services in the African territories placed under the sovereignty or protectorate of civilized nations.

2. The gradual establishment in the interior, by the powers to which the territories are subject, of strongly occupied stations, in such a way as to make their protective or repressive action effectively felt in the territories devastated by slave-hunting.

3. The construction of roads, and in particular of railways, connecting the advanced stations with the coast, and permitting easy access to the inland waters, and to such of the upper courses of the rivers and streams as are broken by rapids and cataracts, with a view to substituting economical and rapid means of transportation for the present system of carriage by men.

4. Establishment of steam-boats on the inland navigable waters and on the lakes, supported by fortified posts established on the banks.

5. Establishment of telegraphic lines, insuring the communication of the posts and stations with the coast and with the administrative centres.

6. Organization of expeditions and flying columns, to keep up the communication of the stations with each other and with the coast, to support repressive action, and to insure the security of high roads.

7. Restriction of the importation of fire-arms, at least of those of modern pattern, and of ammunition throughout the entire extent of the territory in which the slave-trade is carried on.

## ARTICLE II.

Les stations, les croisières intérieures organisées par chaque Puissance dans ses eaux et les postes qui leur servent de ports d'attache, indépendamment de leur mission principale, qui sera d'empêcher la capture d'esclaves et d'intercepter les routes de la traite, auront pour tâche subsidiaire :

1° De servir de point d'appui et au besoin de refuge aux populations indigènes placées sous la souveraineté ou le protectorat de l'État de qui relève la station, aux populations indépendantes, et temporairement à toutes autres en cas de danger imminent ; de mettre les populations de la première de ces catégories à même de concourir à leur propre défense ; de diminuer les guerres intestines entre les tribus par la voie de l'arbitrage ; de les initier aux travaux agricoles et aux arts professionnels, de façon à accroître leur bien-être, à les élever à la civilisation et à amener l'extinction des coutumes barbares, telles que le cannibalisme et les sacrifices humains ;

2° De prêter aide et protection aux entreprises du commerce, d'en surveiller la légalité en contrôlant notamment les contrats de service avec les indigènes et de préparer la fondation de centres de cultures permanents et d'établissements commerciaux ;

3° De protéger, sans distinction de culte, les missions établies ou à établir ;

4° De pourvoir au service sanitaire et d'accorder l'hospitalité et des secours aux explorateurs et à tous ceux qui participent en Afrique à l'œuvre de la répression de la traite.

## ARTICLE II.

The stations, the inland cruisers organized by each power in its waters, and the posts which serve as ports of register for them shall, independently of their principal task, which is to prevent the capture of slaves and intercept the routes of the slave trade, have the following subsidiary duties :

1. To support and, if necessary, to serve as a refuge for the native population, whether placed under the sovereignty or the protectorate of the State to which the station is subject, or independent, and temporarily for all other natives in case of imminent danger ; to place the population of the first of these categories in a position to co operate for their own defense ; to diminish intestine wars between tribes by means of arbitration ; to initiate them in agricultural labor and in the industrial arts so as to increase their welfare ; to raise them to civilization and bring about the extinction of barbarous customs, such as cannibalism, and human sacrifices.

2. To give aid and protection to commercial enterprises ; to watch over their legality by especially controlling contracts for service with natives, and to prepare the way for the foundation of permanent centres of cultivation and of commercial settlements.

3. To protect, without distinction of creed, the missions which are already or that may hereafter be established.

4. To provide for the sanitary service and to extend hospitality and help to explorers and to all who take part in Africa in the work of repressing the slave-trade.

## ARTICLE III.

Les Puissances qui exercent une souveraineté ou un protectorat en Afrique, confirmant et précisant leurs déclarations antérieures, s'engagent à poursuivre graduellement, suivant que les circonstances le permettront, soit par les moyens indiqués ci-dessus, soit par tous autres qui leur paraîtront convenables, la répression de la traite, chacune dans ses possessions respectives et sous sa direction propre. Toutes les fois qu'elles le jugeront possible, elles prêteront leurs bons offices aux Puissances qui, dans un but purement humanitaire, accompliraient en Afrique une mission analogue.

## ARTICLE IV.

Les Puissances exerçant des pouvoirs souverains ou des protectorats en Afrique pourront toutefois déléguer à des compagnies munies de chartes, tout ou partie des engagements qu'elles assument en vertu de l'article III. Elles demeurent néanmoins directement responsables des engagements qu'elles contractent par le présent Acte général et en garantissent l'exécution.

Les Puissances promettent accueil, aide et protection aux associations nationales et aux initiatives individuelles qui voudraient coopérer dans leurs possessions à la répression de la traite, sous la réserve de leur autorisation préalable et révocable en tout temps, de leur direction et contrôle, et à l'exclusion de tout exercice des droits de la souveraineté.

## ARTICLE V.

Les Puissances contractantes s'obligent, à moins qu'il n'y soit pourvu

## ARTICLE III.

The powers exercising a sovereignty or a protectorate in Africa confirm and give precision to their former declarations, and engage to proceed gradually, as circumstances may permit, either by the means above indicated, or by any other means that they may consider suitable, with the repression of the slave-trade, each State in its respective possessions and under its own direction. Whenever they consider it possible, they shall lend their good offices to such powers as, with a purely humanitarian object, may be engaged in Africa in the fulfillment of a similar mission.

## ARTICLE IV.

The States exercising sovereign powers or protectorates in Africa may in all cases delegate to companies provided with charters all or a portion of the engagements which they assume in virtue of Article III. They remain, nevertheless, directly responsible for the engagements which they contract by the present act, and guarantee the execution thereof. The powers promise to encourage, aid and protect such national associations and enterprises due to private initiative as may wish to cooperate in their possessions in the repression of the slave-trade, subject to their receiving previous authorization, such authorization being revocable at any time, subject also to their being directed and controlled, and to the exclusion of the exercise of rights of sovereignty.

## ARTICLE V.

The contracting powers pledge themselves, unless this has already

déjà par des lois conformes à l'esprit du présent article, à édicter ou à proposer à leurs législatures respectives, dans le délai d'un an au plus tard à partir de la date de la signature du présent Acte général, une loi rendant applicables, d'une part, les dispositions de leur législation pénale qui concernent les attentats graves envers les personnes, aux organisateurs et coopérateurs des chasses à l'homme, aux auteurs de la mutilation des adultes et enfants mâles et à tous individus participant à la capture des esclaves par violence ;—et, d'autre part, les dispositions qui concernent les attentats à la liberté individuelle, aux convoyeurs, transporteurs et marchands d'esclaves.

Les co-auteurs et complices des diverses catégories spécifiées ci-dessus de capteurs et trafiquants d'esclaves seront punis de peines proportionnées à celles encourues par les auteurs.

Les coupables qui se seraient soustraits à la juridiction des autorités du pays où les crimes ou délits auraient été commis seront mis en état d'arrestation, soit sur communication des pièces de l'instruction de la part des autorités qui ont constaté les infractions, soit sur toute autre preuve de culpabilité, par les soins de la Puissance sur le territoire de laquelle ils seront découverts, et tenus sans autre formalité à la disposition des tribunaux compétents pour les juger.

Les Puissances se communiqueront, dans le plus bref délai possible, les lois ou décrets existants ou promulgués en exécution du présent article.

been provided for by laws in accordance with the spirit of the present article, to enact or propose to their respective legislative bodies, in the course of one year at the latest from the date of the signing of the present general act, a law rendering applicable, on the one hand, the provisions of their penal laws concerning grave offenses against the person, to the organizers and abettors of slave-hunting, to those guilty of mutilating male adults and children, and to all persons taking part in the capture of slaves by violence ; and, on the other hand, the provisions relating to offenses against individual liberty, to carriers and transporters of, and to dealers in, slaves.

The accessories and accomplices of the different categories of slave captors and dealers above specified shall be punished with penalties proportionate to those incurred by the principals.

Guilty persons who may have escaped from the jurisdiction of the authorities of the country where the crimes or offenses have been committed shall be arrested either on communication of the incriminating evidence by the authorities who have ascertained the violation of the law, or on production of any other proof of guilt by the power in whose territory they may have been discovered, and shall be kept, without other formality, at the disposal of the tribunals competent to try them.

The powers shall communicate to one another, with the least possible delay, the laws or decrees existing or promulgated in execution of the present Article.



## ARTICLE VI.

Les esclaves libérés à la suite de l'arrestation ou de la dispersion d'un convoi à l'intérieur du continent seront renvoyés, si les circonstances le permettent, dans leur pays d'origine ; sinon, l'autorité locale leur facilitera, autant que possible, les moyens de vivre et, s'ils le désirent, de se fixer dans la contrée.

## ARTICLE VII.

Tout esclave fugitif qui, sur le continent, réclamera la protection des Puissances signataires, devra l'obtenir et sera reçu dans les camps et stations officiellement établis par elles ou à bord des bâtiments de l'État naviguant sur les lacs et rivières. Les stations et les bateaux privés ne sont admis à exercer le droit d'asile que sous la réserve du consentement préalable de l'État.

## ARTICLE VIII.

L'expérience de toutes les nations qui ont des rapports avec l'Afrique ayant démontré le rôle pernicieux et prépondérant des armes à feu dans les opérations de traite, et dans les guerres intestines entre tribus indigènes, et cette même expérience ayant prouvé manifestement que la conservation des populations africaines, dont les Puissances ont la volonté expresse de sauvegarder l'existence, est une impossibilité radicale si des mesures restrictives du commerce des armes à feu et des munitions ne sont établies, les Puissances décident, pour autant que le permet l'état actuel de leurs frontières, que l'importation des armes à feu et spécialement des armes rayées et perfectionnées, ainsi que de la poudre, des balles et des

## ARTICLE VI.

Slaves liberated in consequence of the stoppage or dispersion of a convoy in the interior of the continent, shall be sent back, if circumstances permit, to their country of origin ; if not, the local authorities shall facilitate, as much as possible, their means of living, and if they desire it, help them to settle on the spot.

## ARTICLE VII.

Any fugitive slave claiming, on the continent, the protection of the signatory powers, shall receive it, and shall be received in the camps and stations officially established by said powers, or on board of the vessels of the State plying on the lakes and rivers. Private stations and boats are only permitted to exercise the right of asylum subject to the previous consent of the State.

## ARTICLE VIII.

The experience of all nations that have intercourse with Africa having shown the pernicious and preponderating part played by fire-arms in operations connected with the slave-trade as well as internal wars between the native tribes ; and this same experience having clearly proved that the preservation of the African population whose existence it is the express wish of the powers to protect, is a radical impossibility, if measures restricting the trade in fire-arms and ammunition are not adopted, the powers decide, so far as the present state of their frontiers permits, that the importation of fire-arms, and especially of rifles and improved weapons, as well as of powder, ball and cartridges, is, except in the cases and un-

cartouches, est, sauf dans les cas et sous les conditions prévus à l'article suivant, interdite dans les territoires compris entre le 20<sup>e</sup> parallèle nord et le 22<sup>e</sup> parallèle sud et aboutissant vers l'ouest à l'océan Atlantique, vers l'est à l'océan Indien et ses dépendances, y compris les îles adjacentes au littoral jusqu'à 100 milles marins de la côte.

#### ARTICLE IX.

L'introduction des armes à feu et de leurs munitions, lorsqu'il y aura lieu de l'autoriser dans les possessions des Puissances signataires qui exercent des droits de souveraineté ou de protectorat en Afrique, sera réglée, à moins qu'un régime identique ou plus rigoureux n'y soit déjà appliqué, de la manière suivante, dans la zone déterminée à l'article VIII

Toutes armes à feu importées devront être déposées, aux frais, risques et périls des importateurs, dans un entrepôt public placé sous le contrôle de l'administration de l'État. Aucune sortie d'armes à feu ni de munitions importées ne pourra avoir lieu des entrepôts sans l'autorisation préalable de l'administration. Cette autorisation sera, sauf les cas spécifiés ci-après, refusée pour la sortie de toutes armes de précision telles que fusils rayés, à magasin ou se chargeant par la culasse, entières ou en pièces détachées, de leurs cartouches, des capsules ou d'autres munitions destinées à les approvisionner.

Dans les ports de mer et sous les conditions offrant les garanties nécessaires, les Gouvernements respectifs pourront admettre aussi les entrepôts particuliers, mais seulement pour la

der the conditions provided for in the following Article, prohibited in the territories comprised between the 20th parallel of North latitude and the 22d parallel of South latitude, and extending westward to the Atlantic Ocean and eastward to the Indian Ocean and its dependencies, including the islands adjacent to the coast within 100 nautical miles from the shore.

#### ARTICLE IX.

The introduction of fire-arms and ammunition, when there shall be occasion to authorize it in the possessions of the signatory powers that exercise rights of sovereignty or of protectorate in Africa, shall be regulated, unless identical or stricter regulations have already been enforced, in the following manner in the zone defined in Article VIII :

All imported fire-arms shall be deposited, at the cost, risk and peril of the importers, in a public warehouse under the supervision of the State government. No withdrawal of fire-arms or imported ammunition shall take place from such warehouses without the previous authorization of the said government. This authorization shall, except in the cases hereinafter specified, be refused for the withdrawal of all arms for accurate firing, such as rifles, magazine-guns, or breech-loaders, whether whole or in detached pieces, their cartridges, caps, or other ammunition intended for them.

In seaports and under conditions affording the needful guarantees, the respective governments may permit private warehouses, but only for ordinary powder and for flint-lock

poudre ordinaire et les fusils à silex et à l'exclusion des armes perfectionnées et de leurs munitions.

Indépendamment des mesures prises directement par les Gouvernements pour l'armement de la force publique et l'organisation de leur défense, des exceptions pourront être admises, à titre individuel, pour des personnes offrant une garantie suffisante que l'arme et les munitions qui leur seraient délivrées ne seront pas données, cédées ou vendues à des tiers, et pour les voyageurs munis d'une déclaration de leur Gouvernement constatant que l'arme et ses munitions sont exclusivement destinées à leur défense personnelle.

Tout arme, dans les cas prévus par le paragraphe précédent, sera enregistrée et marquée par l'autorité préposée au contrôle, qui délivrera aux personnes dont il s'agit des permis de ports d'armes, indiquant le nom du porteur et l'estampille de laquelle l'arme est maquée. Ces permis, révocables en cas d'abus constaté, ne seront délivrés que pour cinq ans, mais pourront être renouvelés.

La règle ci-dessus établie de l'entrée en entrepôt s'appliquera également à la poudre.

Ne pourront être retirés des entrepôts pour être mis en vente que les fusils à silex non rayés ainsi que les poudres communes dites de traite. A chaque sortie d'armes et de munitions de cette nature destinées à la vente, les autorités locales détermineront les régions où ces armes et munitions pourront être vendues. Les régions atteintes par la traite seront toujours exclues. Les personnes autorisées à

muskets, and to the exclusion of improved arms and ammunition therefor.

Independently of the measures directly taken by governments for the arming of the public force and the organization of their defence, individual exceptions may be allowed in the case of persons furnishing sufficient guarantees that the weapon and ammunition delivered to them shall not be given, assigned or sold to third parties, and for travelers provided with a declaration of their government stating that the weapon and ammunition are intended for their personal defence exclusively.

All arms, in the cases provided for in the preceding paragraph, shall be registered and marked by the supervising authorities, who shall deliver to the persons in question permits to bear arms, stating the name of the bearer and showing the stamp with which the weapon is marked. These permits shall be revocable in case proof is furnished that they have been improperly used, and shall be issued for five years only, but may be renewed.

The above rule as to warehousing shall also apply to gunpowder.

Only flint-lock guns, with unrifled barrels, and common gunpowder known as trade powder, may be withdrawn from the warehouses for sale. At each withdrawal of arms and ammunition of this kind for sale, the local authorities shall determine the regions in which such arms and ammunition may be sold. The regions in which the slave-trade is carried on shall always be excluded. Persons

faire sortir des armes ou de la poudre des entrepôts s'obligeront à présenter à l'administration, tous les six mois, des listes détaillées indiquant les destinations qu'ont reçues les dites armes à feu et les poudres déjà vendues, ainsi que les quantités qui restent en magasin.

#### ARTICLE X.

Les Gouvernements prendront toutes les mesures qu'ils jugeront nécessaires pour assurer l'exécution aussi complète que possible des dispositions relatives à l'importation, à la vente et au transport des armes à feu et des munitions, ainsi que pour en empêcher soit l'entrée et la sortie par leurs frontières intérieurs, soit le passage vers les régions où sévit la traite.

L'autorisation de transit, dans les limites de la zone spécifiée à l'article VIII, ne pourra être refusée lorsque les armes et munitions doivent passer à travers le territoire d'une Puissance signataire ou adhérente occupant la côte, vers des territoires à l'intérieur placés sous la souveraineté ou le protectorat d'une autre Puissance signataire ou adhérente, à moins que cette dernière Puissance n'ait un accès direct à la mer par son propre territoire. Si cet accès était complètement interrompu, l'autorisation de transit ne pourra non plus être refusée. Toute demande de transit doit être accompagnée d'une déclaration émanée du Gouvernement de la Puissance ayant des possessions à l'intérieur, et certifiant que les dites armes et munitions ne sont pas destinées à la vente, mais à l'usage des autorités de la Puissance ou de la force militaire nécessaire pour la protection des stations de missionnaires ou de com-

authorized to take arms or powder out of the public warehouses, shall present to the State government, every six months, detailed lists indicating the destinations of the arms and powder sold, as well as the quantities still remaining in the warehouses.

#### ARTICLE X.

The Governments shall take all such measures as they may deem necessary to insure as complete a fulfilment as possible of the provisions respecting the importation, sale and transportation of firearms and ammunition, as well as to prevent either the entry or exit thereof via their inland frontiers, or the passage thereof to regions where the slave-trade is rife.

The authorization of transit within the limits of the zone specified in Article VIII shall not be withheld when the arms and ammunition are to pass across the territory of the signatory or adherent power occupying the coast, towards inland territories under the sovereignty or protectorate of another signatory or adherent power, unless this latter power have direct access to the sea through its own territory. If this access be wholly interrupted, the authorization of transit can not be withheld. Any application for transit must be accompanied by a declaration emanating from the government of the power having the inland possessions, and certifying that the said arms and ammunition are not intended for sale, but are for the use of the authorities of such power, or of the military forces necessary for the protection of the missionary or commercial stations, or of persons mentioned by

merce, ou bien des personnes désignées nominativement dans la déclaration. Toutefois, la Puissance territoriale de la côte se réserve le droit d'arrêter, exceptionnellement et provisoirement, le transit des armes de précision et des munitions à travers son territoire si, par suite de troubles à l'intérieur ou d'autres graves dangers, il y avait lieu de craindre que l'envoi des armes et munitions ne pût compromettre sa propre sûreté.

#### ARTICLE XI.

Les Puissances se communiqueront les renseignements relatifs au trafic des armes à feu et des munitions, aux permis accordés ainsi qu'aux mesures de répression appliquées dans leurs territoires respectifs.

#### ARTICLE XII.

Les Puissances s'engagent à adopter ou à proposer à leurs législatures respectives les mesures nécessaires afin que les contrevenants aux défenses établies par les articles VIII et IX soient partout punis, ainsi que leurs complices, outre la saisie et la confiscation des armes et munitions prohibées, soit de l'amende, soit de l'emprisonnement, soit de ces deux peines réunies, proportionnellement à l'importance de l'infraction et suivant la gravité de chaque cas.

#### ARTICLE XIII.

Les Puissances signataires qui ont en Afrique des possessions en contact avec la zone spécifiée à l'article VIII, s'engagent à prendre les mesures nécessaires pour empêcher l'introduction des armes à feu et des munitions, par leurs frontières intérieures, dans

name in the declaration. Nevertheless, the territorial power of the coast retains the right to stop, exceptionally and provisionally, the transit of improved arms and ammunition across its territory, if, in consequence of inland disturbances or other serious danger, there is ground for fearing lest the despatch of arms and ammunition may compromise its own safety.

#### ARTICLE XI.

The powers shall communicate to one another information relating to the traffic in fire-arms and ammunition, the permits granted, and the measures of repression in force in their respective territories.

#### ARTICLE XII.

The powers engage to adopt or to propose to their respective legislative bodies the measures necessary everywhere to secure the punishment of infringers of the prohibitions contained in Articles VIII and IX, and that of their accomplices, besides the seizure and confiscation of the prohibited arms and ammunition, either by fine or imprisonment, or by both of these penalties, in proportion to the importance of the infraction and in accordance with the gravity of each case.

#### ARTICLE XIII.

The signatory powers that have possessions in Africa in contact with the zone specified in Article VIII, bind themselves to take the necessary measures for preventing the introduction of fire-arms and ammunition across their inland frontiers

les régions de la dite zone, tout au moins celle des armes perfectionnées et des cartouches.

#### ARTICLE XIV.

Le régime stipulé aux articles VIII à XIII inclusivement restera en vigueur pendant douze ans. Dans le cas où aucune des Parties contractantes n'aurait, douze mois avant l'expiration de cette période, notifié son intention d'en faire cesser les effets, ni demandé la révision, il continuera de rester obligatoire pendant deux ans, et ainsi de suite, de deux en deux ans.

#### CHAPITRE II. *Route des caravanes et transports d'esclaves par terre.*

##### ARTICLE XV.

Indépendamment de leur action répressive ou protectrice aux foyers de la traite, les stations, croisières et postes dont l'établissement est prévu à l'article II et toutes autres stations établies ou reconnues aux termes de l'article IV par chaque Gouvernement dans ses possessions, auront en outre pour mission de surveiller, autant que les circonstances le permettront, et au fur et à mesure du progrès de leur organisation administrative, les routes suivies sur leur territoire par les trafiquants d'esclaves, d'y arrêter les convois en marche où de les poursuivre partout où leur action pourra s'exercer légalement.

##### ARTICLE XVI.

Dans les régions du littoral connues comme servant de lieux habituels de passage ou de points d'aboutissement aux transports d'esclaves venant de l'intérieur, ainsi qu'aux points de croisement des principales routes de caravanes traversant la zone

into the regions of said zone, at least that of improved arms and cartridges.

#### ARTICLE XIV.

The system stipulated in Articles VIII to XIII, shall remain in force for twelve years. In case none of the contracting parties shall have given notice twelve months before the expiration of this period, of its intention to put an end to it, or shall have demanded its revision, it shall remain obligatory for two years longer, and shall thus continue in force from two years to two years.

#### CHAPTER II. *Caravan Routes and Transportation of Slaves by land.*

##### ARTICLE XV.

Independently of the repressive or protective action which they exercise in the centres of the slave-trade, it shall be the duty of the stations, cruisers and posts, whose establishment is provided for in Article II, and of all other stations established or recognized by Article IV, by each government in its possessions, to watch, so far as circumstances shall permit, and in proportion to the progress of their administrative organization, the roads traveled in their territory by slave-dealers, to stop convoys on their march, or to pursue them wherever their action can be legally exercised.

##### ARTICLE XVI.

In the regions of the coasts known to serve habitually as places of passage or terminal points for slave-traffic coming from the interior, as well as at the points of intersection of the principal caravan routes crossing the zone contiguous to the coast already

voisine de la côte déjà soumise à l'action des Puissances souveraines ou protectrices, des postes seront établis dans les conditions et sous les réserves mentionnées à l'article III, par les autorités dont relèvent les territoires, à l'effet d'intercepter les convois et de libérer les esclaves.

#### ARTICLE XVII.

Une surveillance rigoureuse sera organisée par les autorités locales dans les ports et les contrées avoisinant la côte, à l'effet d'empêcher la mise en vente et l'embarquement des esclaves amenés de l'intérieur, ainsi que la formation et le départ vers l'intérieur de bandes de chasseurs à l'homme et de marchands d'esclaves.

Les caravanes débouchant à la côte ou dans son voisinage, ainsi que celles aboutissant à l'intérieur dans une localité occupée par les autorités de la Puissance territoriale, seront, dès leur arrivée, soumises à un contrôle minutieux quant à la composition de leur personnel. Tout individu qui serait reconnu avoir été capturé ou enlevé de force ou mutilé, soit dans son pays natal, soit en route, sera mis en liberté.

#### ARTICLE XVIII.

Dans les possessions de chacune des Puissances contractantes, l'administration aura le devoir de protéger les esclaves libérés, de les repatrier, si c'est possible, de leur procurer des moyens d'existence et de pourvoir en particulier à l'éducation et à l'établissement des enfants délaissés.

#### ARTICLE XIX.

Les dispositions pénales prévues à l'article V seront rendues applicables

subject to the control of the sovereign or protective powers, posts shall be established under the conditions and with the reservations mentioned in Article III, by the authorities to which the territories are subject, for the purpose of intercepting the convoys and liberating the slaves.

#### ARTICLE XVII.

A strict watch shall be organized by the local authorities at the ports and places near the coast, with a view to preventing the sale and shipment of slaves brought from the interior, as well as the formation and departure landwards of bands of slave-hunters and dealers.

Caravans arriving at the coast or in its vicinity, as well as those arriving in the interior at a locality occupied by the territorial power, shall, on their arrival, be subjected to a minute inspection as to the persons composing them. Any such person being ascertained to have been captured or carried off by force, or mutilated, either in his native place or on the way, shall be set free.

#### ARTICLE XVIII.

In the possessions of each of the contracting powers, it shall be the duty of the government to protect liberated slaves, to return them, if possible, to their country, to procure means of subsistence for them, and, in particular, to take charge of the education and subsequent employment of abandoned children.

#### ARTICLE XIX.

The penal arrangements provided for by Article V shall be applicable

à tous les actes criminels ou délictueux accomplis au cours des opérations qui ont pour objet le transport et le trafic des esclaves par terre, à quelque moment que ces actes soient constatés.

Tout individu qui aurait encouru une pénalité, à raison d'une infraction prévue par le présent Acte général, sera soumis à l'obligation de fournir un cautionnement avant de pouvoir entreprendre une opération commerciale dans les pays où se pratique la traite.

### CHAPITRE III. *Répression de la traite sur mer.*

#### § I.—*Dispositions Générales.*

#### ARTICLE XX.

Les Puissances signataires reconnaissent l'opportunité de prendre d'un commun accord des dispositions ayant pour objet d'assurer plus efficacement la répression de la traite dans la zone maritime où elle existe encore.

#### ARTICLE XXI.

Cette zone s'étend entre, d'une part, les côtes de l'océan Indien (y compris celles du golfe Persique et de la mer Rouge), depuis le Belouchistan jusqu'à la pointe de Tangalane (Quilimane), et, d'autre part, une ligne conventionnelle qui suit d'abord le méridien de Tangalane jusqu'au point de rencontre avec le 26° degré de latitude sud ; se confond ensuite avec ce parallèle, puis contourne l'île de Madagascar par l'est en se tenant à 20 milles de la côte orientale et septentrionale, jusqu'à son intersection avec le méridien du cap d'Ambre. De ce point, la limite de la zone est déterminée par une

to all offences committed in the course of operations connected with the transportation of and traffic in slaves on land whenever such offences may be ascertained to have been committed.

Any person having incurred a penalty in consequence of an offence provided for by the present general act, shall incur the obligation of furnishing security before being able to engage in any commercial transaction in countries where the slave-trade is carried on.

### CHAPTER III. *Repression of the Slave-trade by Sea.*

#### SECTION I. *General provisions.*

#### ARTICLE XX.

The signatory powers recognize the desirability of taking steps in common for the more effective repression of the slave-trade in the maritime zone in which it still exists.

#### ARTICLE XXI.

This zone extends, on the one hand, between the coasts of the Indian Ocean (those of the Persian Gulf and of the Red Sea included), from Beloochistan to Cape Tangalane (Quilimane) ; and, on the other hand, a conventional line which first follows the meridian from Tangalane till it intersects the 26th degree of South latitude ; it is then merged in this parallel, then passes round the Island of Madagascar by the east, keeping 20 miles off the east and north shore, till it intersects the meridian at Cape Ambre. From this point the limit of the zone is determined by an oblique line, which ex-



ligne oblique qui va rejoindre la côte du Belouchistan, en passant à 20 milles au large du cap Raz-el-Had.

#### ARTICLE XXII.

Les Puissances signataires du présent Acte général, entre lesquelles il existe des conventions particulières pour la suppression de la traite, se sont mises d'accord pour restreindre les clauses de ces conventions concernant le droit réciproque de visite, de recherche et de saisie des navires en mer, à la zone susdite.

#### ARTICLE XXIII.

Les mêmes Puissances sont également d'accord pour limiter le droit susmentionné aux navires d'un tonnage inférieur à 500 tonneaux.

Cette stipulation sera révisée dès que l'expérience en aura démontré la nécessité.

#### ARTICLE XXIV.

Toutes les autres dispositions des conventions conclues entre les dites Puissances pour la suppression de la traite, restent en vigueur pour autant qu'elles ne sont pas modifiées par le présent Acte général.

#### ARTICLE XXV.

Les Puissances signataires s'engagent à prendre des mesures efficaces pour prévenir l'usurpation de leur pavillon et pour empêcher le transport des esclaves sur les bâtiments autorisés à arborer leurs couleurs.

#### ARTICLE XXVI.

Les Puissances signataires s'engagent à prendre toutes les mesures nécessaires pour faciliter le prompt échange des renseignements propres à amener la découverte des person-

tends to the coast of Beloochistan, passing 20 miles off Cape Ras-el-Had.

#### ARTICLE XXII.

The signatory powers of the present general act,—among whom exist special conventions for the suppression of the slave-trade, have agreed to restrict the clauses of those conventions concerning the reciprocal right of visit, of search and of seizure of vessels at sea, to the above mentioned zone.

#### ARTICLE XXIII.

The same powers also agree to limit the above mentioned right to vessels whose tonnage is less than 500 tons. This stipulation shall be revised as soon as experience shall have shown the necessity thereof.

#### ARTICLE XXIV.

All other provisions of the conventions concluded for the suppression of the slave-trade between the aforesaid powers shall remain in force provided they are not modified by the present general act.

#### ARTICLE XXV.

The signatory powers engage to adopt efficient measures to prevent the unlawful use of their flag, and to prevent the transportation of slaves on vessels authorized to fly their colors.

#### ARTICLE XXVI.

The signatory powers engage to adopt all measures necessary to facilitate the speedy exchange of information calculated to lead to the discovery of persons taking part in

nes qui se livrent aux opérations de la traite.

#### ARTICLE XXVII.

Un bureau international au moins sera créé; il sera établi à Zanzibar. Les Hautes Parties contractantes s'engagent à lui faire parvenir tous les documents spécifiés à l'article XLI, ainsi que les renseignements de toute nature susceptibles d'aider à la répression de la traite.

#### ARTICLE XXVIII.

Tout esclave qui se sera réfugié à bord d'un navire de guerre sous pavillon d'une des Puissances signataires sera immédiatement et définitivement affranchi, sans que cet affranchissement puisse le soustraire à la juridiction compétente, s'il a commis un crime ou délit de droit commun.

#### ARTICLE XXIX.

Tout esclave retenu contre son gré à bord d'un bâtiment indigène aura le droit de réclamer sa liberté.

Son affranchissement pourra être prononcé par tout agent d'une des Puissances signataires, à qui le présent Acte général confère le droit de contrôler l'état des personnes à bord des dits bâtiments, sans que cet affranchissement puisse le soustraire à la juridiction compétente, si un crime ou délit de droit commun a été commis par lui.

#### § II.—*Règlement concernant l'usage du pavillon et la surveillance des croiseurs.*

- 1.—Règles pour la concession du pavillon aux bâtiments indigènes, le rôle d'équipage et le manifeste des passagers noirs.

operations connected with the slave-trade.

#### ARTICLE XXVII.

At least one international bureau shall be created; it shall be established at Zanzibar. The high contracting parties engage to forward to it all the documents specified in Article XLI, as well as all information of any kind likely to assist in the suppression of the slave-trade.

#### ARTICLE XXVIII.

Any slave who has taken refuge on board a ship of war bearing the flag of one of the signatory powers, shall be immediately and definitively set free. Such freedom, however, shall not withdraw him from the competent jurisdiction if he has been guilty of any crime or offense at common law.

#### ARTICLE XXIX.

Any slave detained against his will on board of a native vessel shall have the right to demand his liberty. His release may be ordered by any agent of any of the signatory powers on whom the present general act confers the right of ascertaining the status of persons on board of such vessels, although such release shall not withdraw him from the competent jurisdiction if he has committed any crime or offense at common law.

#### SECTION II.—*Regulation concerning the use of the flag and supervision by cruisers.*

1. Rules for granting the flag to native vessels, and as to crew lists and manifests of black passengers on board.

## ARTICLE XXX.

Les Puissances signataires s'engagent à exercer une surveillance rigoureuse sur les bâtiments indigènes autorisés à porter leur pavillon dans la zone indiquée à l'article XXI, et sur les opérations commerciales effectuées par ces bâtiments.

## ARTICLE XXXI.

La qualification de bâtiment indigène s'applique aux navires qui remplissent une des deux conditions suivantes :

1° Présenter les signes extérieurs d'une construction ou d'un grément indigène :

2° Être montés par un équipage dont le capitaine et la majorité des matelots soient originaires d'un des pays baignés par les eaux de l'océan Indien, de la mer Rouge ou du golfe Persique.

## ARTICLE XXXII.

L'autorisation d'arborer le pavillon d'une des dites Puissances ne sera accordée à l'avenir qu'aux bâtiments indigènes qui satisferont à la fois aux trois conditions suivantes :

1° Les armateurs ou propriétaires devront être sujets ou protégés de la Puissance dont ils demandent à porter les couleurs ;

2° Ils seront tenus d'établir qu'ils possèdent des biens-fonds dans la circonscription de l'autorité à qui est adressée leur demande, ou de fournir une caution solvable pour la garantie des amendes qui pourraient être éventuellement encourues ;

3° Les dits armateurs ou propriétaires, ainsi que le capitaine du bâtiment, devront fournir la preuve qu'ils jouissent d'une bonne réputation et

## ARTICLE XXX.

The signatory powers engage to exercise a strict surveillance over native vessels authorized to carry their flag in the zone mentioned in Article XXI, and over the commercial operations carried on by such vessels.

## ARTICLE XXXI.

The term "native vessel" applies to vessels fulfilling one of the following conditions :

1. It shall present the outward appearance of native build or rigging.

2. It shall be manned by a crew of whom the captain and the majority of the seamen belong by origin to one of the countries on the coast of the Indian Ocean, the Red Sea, or the Persian Gulf.

## ARTICLE XXXII.

The authorization to carry the flag of one of the said powers shall in future be granted only to such native vessels as shall satisfy at the same time the three following conditions :

1. Fitters-out or owners of ships must be either subjects of or persons protected by the power whose flag they ask to carry.

2. They shall be obliged to prove that they possess real estate situated in the district of the authority to whom their application is addressed, or to furnish *bona fide* security as a guaranty of the payment of such fines as may be incurred.

3. The above-named fitters-out or owners of ships, as well as the captain of the vessel, shall prove that they enjoy a good reputation, and that in

notamment n'avoir jamais été l'objet d'une condamnation pour faits de traite.

#### ARTICLE XXXIII.

L'autorisation accordée devra être renouvelée chaque année. Elle pourra toujours être suspendue ou retirée par les autorités de la Puissance dont le bâtiment porte les couleurs.

#### ARTICLE XXXIV.

L'acte d'autorisation portera les indications nécessaires pour établir l'identité du navire. Le capitaine en sera détenteur. Le nom du bâtiment indigène et l'indication de son tonnage devront être incrustés et peints en caractères latins à la poupe, et la ou les lettres initiales de son port d'attache, ainsi que le numéro d'enregistrement dans la série des numéros de ce port, seront imprimés en noir sur les voiles.

#### ARTICLE XXXV.

Un rôle d'équipage sera délivré au capitaine du bâtiment au port de départ par l'autorité de la Puissance dont il porte le pavillon. Il sera renouvelé à chaque armement du bâtiment ou, au plus tard, au bout d'une année, et conformément aux dispositions suivantes :

1° Le rôle sera, au moment de départ, visé par l'autorité qui l'a délivré ;

2° Aucun noir ne pourra être engagé comme matelot sur un bâtiment sans qu'il ait été préalablement interrogé par l'autorité de la Puissance dont ce bâtiment porte le pavillon ou, à défaut de celle-ci, par l'autorité territoriale, à l'effet d'établir qu'il contracte un engagement libre ;

particular they have never been sentenced to punishment for acts connected with the slave-trade.

#### ARTICLE XXXIII.

This authorization granted shall be renewed every year. It may at any time be suspended or withdrawn by the authorities of the power whose colors the vessel carries.

#### ARTICLE XXXIV.

The act of authorization shall contain the statements necessary to establish the identity of the vessel. The captain shall have the keeping thereof. The name of the native vessel and the amount of its tonnage shall be cut and painted in Latin characters on the stern, and the initial or initials of the name of the port of registry, as well as the registration number in the series of the numbers of that port, shall be printed in black on the sails.

#### ARTICLE XXXV.

A list of the crew shall be issued to the captain of the vessel at the port of departure by the authorities of the power whose colors it carries. It shall be renewed at every fresh venture of the vessel, or, at the latest, at the end of a year, and in accordance with the following provisions :

1. The list shall be visaed at the departure of the vessel by the authority that has issued it.

2. No negro can be engaged as a seaman on a vessel without having previously been questioned by the authority of the power whose colors it carries, or, in default thereof, by the territorial authority, with a view to ascertaining the fact of his having contracted a free engagement.

3° Cette autorité tiendra la main à ce que la proportion des matelots ou mousses ne soit pas anormale par rapport au tonnage ou au gréement des bâtiments;

4° L'autorité qui aura interrogé les hommes préalablement à leur départ les inscrira sur le rôle d'équipage, où ils figureront avec le signalement sommaire de chacun d'eux en regard de son nom.

5° Afin d'empêcher plus sûrement les substitutions, les matelots pourront, en outre, être pourvus d'une marque distinctive.

#### ARTICLE XXXVI.

Lorsque le capitaine d'un bâtiment désirera embarquer des passagers noirs, il devra en faire la déclaration à l'autorité de la Puissance dont il porte le pavillon ou, à défaut de celle-ci, à l'autorité territoriale. Les passagers seront interrogés et, quand il aura été constaté qu'ils s'embarquent librement, ils seront inscrits sur un manifeste spécial donnant le signalement de chacun d'eux en regard de son nom, et indiquant notamment le sexe et la taille. Les enfants noirs ne pourront être admis comme passagers qu'autant qu'ils seront accompagnés de leurs parents ou de personnes dont l'honorabilité serait notoire. Au départ, le manifeste des passagers sera visé par l'autorité indiquée ci-dessus, après qu'il aura été procédé à un appel. S'il n'y a pas de passagers à bord, mention expresse en sera faite sur le rôle d'équipage.

#### ARTICLE XXXVII.

A l'arrivée dans tout port de relâche ou de destination, le capitaine

3. This authority shall see that the proportion of seamen and boys is not out of proportion to the tonnage or rigging.

4. The authorities who shall have questioned the men before their departure shall enter them on the list of the crew in which they shall be mentioned with a summary description of each of them alongside his name.

5. In order the more effectively to prevent any substitution, the seamen may, moreover, be provided with a distinctive mark.

#### ARTICLE XXXVI.

When the captain of a vessel shall desire to take negro passengers on board, he shall make his declaration to that effect to the authority of the power whose colors he carries, or in default thereof, to the territorial authority. The passengers shall be questioned, and after it has been ascertained that they embarked of their own free will, they shall be entered in a special manifest, bearing the description of each of them alongside of his name, and specially sex and height. Negro children shall not be taken as passengers unless they are accompanied by their relations, or by persons whose respectability is well known. At the departure, the passenger roll shall be visaed by the aforesaid authority after it has been called. If there are no passengers on board, this shall be specially mentioned in the crew-list.

#### ARTICLE XXXVII.

At the arrival at any port of call or of destination, the captain of the

du bâtiment produira devant l'autorité de la Puissance dont il porte le pavillon ou, à défaut de celle-ci, devant l'autorité territoriale, le rôle d'équipage et, s'il y a lieu, les manifestes de passagers antérieurement délivrés. L'autorité contrôlera les passagers arrivés à destination ou s'arrêtant dans un port de relâche, et fera mention de leur débarquement sur le manifeste. Au départ, la même autorité apposera de nouveau son visa au rôle et au manifeste, et fera l'appel des passagers.

#### ARTICLE XXXVIII.

Sur le littoral africain et dans les îles adjacentes, aucun passager noir ne sera embarqué à bord d'un bâtiment indigène en dehors des localités où réside une autorité relevant d'une des Puissances signataires.

Dans toute l'étendue de la zone prévue à l'article XXI, aucun passager noir ne pourra être débarqué d'un bâtiment indigène hors d'une localité où réside une autorité relevant d'une des Hautes Parties contractantes et sans que cette autorité assiste au débarquement.

Les cas de force majeure qui auront déterminé l'infraction à ces dispositions devront être examinés par l'autorité de la Puissance dont le bâtiment porte les couleurs, ou, à défaut de celle-ci, par l'autorité territoriale du port dans lequel le bâtiment inculpe fait relâche.

#### ARTICLE XXXIX.

Les prescriptions des articles XXXV, XXXVI, XXXVII et XXXVIII ne sont pas applicables aux bateaux non pontés entièrement, ayant un maximum de dix hommes d'équipage et

vessel shall show to the authority of the power whose flag he carries, or, in default thereof, to the territorial authority, the crew-list, and, if need be, the passenger-roll previously delivered. The authority shall check the passengers who have reached their destination or who are stopping in a port of call, and shall mention their landing in the roll. At the departure of the vessel, the same authority shall affix a fresh *visé* to the list and roll, and call the roll of the passengers.

#### ARTICLE XXXVIII.

On the African coast and on the adjacent islands, no negro passengers shall be taken on board of a native vessel, except in localities where there is a resident authority belonging to one of the signatory powers.

Throughout the extent of the zone mentioned in Article XXI, no negro passenger shall be landed from a native vessel except at a place in which there is a resident officer belonging to one of the high contracting powers, and unless such officer is present at the landing.

Cases of *vis major* that may have caused an infraction of these provisions shall be examined by the authority of the power whose colors the vessel carries, or, in default thereof, by the territorial authority of the port at which the vessel in question calls.

#### ARTICLE XXXIX.

The provisions of Articles XXXV, XXXVI, XXXVII, and XXXVIII are not applicable to vessels only partially decked, having a crew not exceeding ten men, and fulfill-

qui satisferont à l'une des deux conditions suivantes :

1° S'adonner exclusivement à la pêche dans les eaux territoriales ;

2° Se livrer au petit cabotage entre les différents ports de la même Puissance territoriale, sans s'éloigner de la côte à plus de 5 milles.

Ces différents bateaux recevront, suivant les cas, de l'autorité territoriale ou de l'autorité consulaire, une licence spéciale renouvelable chaque année et révocable dans les conditions prévues à l'article XL, et dont le modèle uniforme, annexé au présent Acte général, sera communiqué au Bureau international de renseignements.

#### ARTICLE XL.

Tout acte ou tentative de traite, légalement constaté à la charge du capitaine, armateur ou propriétaire d'un bâtiment autorisé à porter le pavillon d'une des Puissances signataires, ou ayant obtenu la licence prévue à l'article XXXIX, entraînera le retrait immédiat de cette autorisation ou de cette licence. Toutes les infractions aux prescriptions du paragraphe 2 du chapitre III seront punies en outre des pénalités édictées par les lois et ordonnances spéciales à chacune des Puissances contractantes.

#### ARTICLE XLI.

Les Puissances signataires s'engagent à déposer au Bureau international de renseignements les modèles types des documents ciaprès :

1° Titre autorisant le port du pavillon ;

ing one of the two following conditions :

1. That it be exclusively used for fishing within the territorial waters.

2. That it be occupied in the petty coasting trade between the different ports of the same territorial power, without going further than 5 miles from the coast.

These different boats shall receive, as the case may be, a special license from the territorial or consular authority, which shall be renewed every year, and subject to revocation as provided in Article XL, the uniform model of which license is annexed to the present general act and shall be communicated to the international information office.

#### ARTICLE XL.

Any act or attempted act connected with the slave-trade that can be legally shown to have been committed by the captain, fitter-out, or owner of a ship authorized to carry the flag of one of the signatory powers, or having procured the license provided for in Article XXXIX, shall entail the immediate withdrawal of the said authorization or license. All violations of the provisions of Section 2 of Chapter III shall render the person guilty thereof liable to the penalties provided by the special laws and ordinances of each of the contracting powers.

#### ARTICLE XLI.

The signatory powers engage to deposit at the international information office the specimen forms of the following documents:

1. License to carry the flag ;

2° Rôle d'équipage ;

3° Manifeste des passagers noirs.

Ces documents, dont la teneur peut varier suivant les règlements propres à chaque pays, devront renfermer obligatoirement les renseignements suivants, libellés dans une langue européenne :

*I. En ce qui concerne l'autorisation de porter le pavillon :*

a) Le nom, le tonnage, le gréement et les dimensions principales du bâtiment ;

b) Le numéro d'inscription et la lettre signalétique du port d'attache ;

c) La date de l'obtention du permis et la qualité du fonctionnaire qui l'a délivré.

*II. En ce qui concerne le rôle d'équipage :*

a) Le nom du bâtiment, du capitaine et de l'armateur ou des propriétaires ;

b) Le tonnage du bâtiment ;

c) Le numéro d'inscription et le port d'attache du navire, sa destination, ainsi que les renseignements spécifiés à l'article XXV.

*III. En ce qui concerne le manifeste des passagers noirs :*

Le nom du bâtiment qui les transporte et les renseignements indiqués à l'article XXXVI, et destinés à bien identifier les passagers.

Les Puissances signataires prendront les mesures nécessaires pour que les autorités territoriales ou leurs consuls envoient au même Bureau des copies certifiées de toute autorisation d'arborer leur pavillon, dès qu'elle aura été accordée, ainsi que l'avis du retrait dont ces autorisations auraient été l'objet.

2. The crew-list ;

3. The negro passenger list.

These documents, the tenor of which may vary according to the different regulations of each country, shall necessarily contain the following particulars, drawn up in one of the European languages :

1. As regards the authorization to carry the flag :

(a) The name, tonnage, rig, and the principal dimensions of the vessel ;

(b) The register number and the signal letter of the port of registry ;

(c) The date of obtaining the license, and the office held by the person who issued it.

2. As regards the list of the crew :

(a) The name of the vessel, of the captain and the fitter-out or owner ;

(b) The tonnage of the vessel ;

(c) The register number and the port of registry, its destination, as well as the particulars specified in Article XXV.

3. As regards the list of negro passengers :

The name of the vessel which conveys them, and the particulars indicated in Article XXXVI, for the proper identification of the passengers.

The signatory powers shall take the necessary measures so that the territorial authorities or their consuls may send to the same office certified copies of all authorizations to carry their flag as soon as such authorizations shall have been granted, as well as notices of the withdrawal of any such authorization.



Les dispositions du présent article ne concernent que les papiers destinés aux bâtiments indigènes.

2.—*De l'arrêt des bâtiments suspects.*

ARTICLE XLII.

Lorsque les officiers commandant les bâtiments de guerre de l'une des Puissances signataires auront lieu de croire qu'un bâtiment d'un tonnage inférieur à 500 tonneaux et rencontré dans la zone ci-dessus indiquée, se livre à la traite ou est coupable d'une usurpation de pavillon, ils pourront recourir à la vérification des papiers de bord.

Le présent article n'implique aucun changement à l'état de choses actuel en ce qui concerne la juridiction dans les eaux territoriales.

ARTICLE XLIII.

Dans ce but, un canot, commandé par un officier de vaisseau en uniforme, pourra être envoyé à bord du navire suspect, après qu'on l'aura hélé pour lui donner avis de cette intention.

L'officier envoyé à bord du navire arrêté devra procéder avec tous les égards et tous les ménagements possibles.

ARTICLE XLIV.

La vérification des papiers de bord consistera dans l'examen des pièces suivantes :

1° En ce qui concerne les bâtiments indigènes, les papiers mentionnés à l'article XLI ;

2° En ce qui concerne les autres bâtiments, les pièces stipulées dans les différents traités ou conventions maintenus en vigueur.

The provisions of the present article have reference only to papers intended for native vessels.

2. The stopping of suspected vessels.

ARTICLE XLII.

When the officers in command of war-vessels of any of the signatory powers have reason to believe that a vessel whose tonnage is less than 500 tons, and which is found navigating in the above-named zone, is engaged in the slave-trade, or is guilty of the fraudulent use of a flag, they may examine the ship's papers.

The present article does not imply any change in the present state of things as regards jurisdiction in territorial waters.

ARTICLE XLIII.

To this end, a boat commanded by a naval officer in uniform may be sent to board the suspected vessel after it has been hailed and informed of this intention.

The officers sent on board of the vessel which has been stopped shall act with all possible consideration and moderation.

ARTICLE XLIV.

The examination of the ship's papers shall consist of the examination of the following documents :

1. As regards native vessels, the papers mentioned in Article XLI.

2. As regards other vessels, the documents required by the different treaties or conventions that are in force.

La vérification des papiers de bord n'autorise l'appel de l'équipage et des passagers que dans les cas et suivant les conditions prévus à l'article suivant.

#### ARTICLE XLV.

L'enquête sur le chargement du bâtiment ou la visite ne peut avoir lieu qu'à l'égard des bâtiments naviguant sous le pavillon d'une des Puissances qui ont conclu ou viendraient à conclure les conventions particulières visées à l'article XXII, et conformément aux prescriptions de ces conventions.

#### ARTICLE XLVI.

Avant de quitter le bâtiment arrêté, l'officier dressera un procès-verbal suivant les formes et dans la langue en usage dans le pays auquel il appartient.

Ce procès-verbal doit être daté et signé par l'officier, et constater les faits.

Le capitaine du navire arrêté, ainsi que les témoins, auront le droit de faire ajouter au procès-verbal toutes explications qu'ils croiront utiles.

#### ARTICLE XLVII.

Le commandant d'un bâtiment de guerre qui aurait arrêté un navire sous pavillon étranger doit, dans tous les cas, faire un rapport à son Gouvernement en indiquant les motifs qui l'ont fait agir.

#### ARTICLE XLVIII.

Un résumé de ce rapport, ainsi qu'une copie du procès-verbal dressé par l'officier envoyé à bord du navire arrêté, seront, le plus tôt possible,

The examination of the ship's papers only authorizes the calling of the roll of the crew and passengers in the cases and in accordance with the conditions provided for in the following article.

#### ARTICLE XLV.

The examination of the cargo or the search can only take place in the case of vessels sailing under the flag of one of the powers that have concluded, or may hereafter conclude the special conventions provided for in Article XXII, and in accordance with the provisions of such conventions.

#### ARTICLE XLVI.

Before leaving the detained vessel, the officer shall draw up a minute according to the forms and in the language in use in the country to which he belongs.

This minute shall be dated and signed by the officer, and shall recite the facts.

The captain of the detained vessel, as well as the witnesses, shall have the right to cause to be added to the minutes any explanations they may think expedient.

#### ARTICLE XLVII.

The commander of a man-of-war who has detained a vessel under a foreign flag shall, in all cases, make a report thereof to his own government, and state the grounds upon which he has acted.

#### ARTICLE XLVIII.

A summary of this report, as well as a copy of the minute drawn up by the officer on board of the detained vessel, shall be sent, as soon as pos-

expédiés au Bureau international de renseignements, qui en donnera communication à l'autorité consulaire ou territoriale la plus proche de la Puissance dont le navire arrêté en route a arboré le pavillon. Des doubles de ce document seront conservés aux archives du Bureau.

#### ARTICLE XLIX.

Si, par suite de l'accomplissement des actes de contrôle mentionnés dans les articles précédents, le croiseur est convaincu qu'un fait de traite a été commis à bord durant la traversée ou qu'il existe des preuves irrécusables contre le capitaine ou l'armateur pour l'accuser d'usurpation de pavillon, de fraude ou de participation à la traite, il conduira le bâtiment arrêté dans le port de la zone le plus rapproché où se trouve une autorité compétente de la Puissance dont le pavillon a été arboré.

Chaque Puissance signataire s'engage à désigner dans la zone et à faire connaître au Bureau international de renseignements les autorités territoriales ou consulaires, ou les délégués spéciaux qui seraient compétents dans les cas visés ci-dessus.

Le bâtiment soupçonné peut également être remis à un croiseur de sa nation, si ce dernier consent à en prendre charge.

#### 3.—*De l'enquête et du jugement des bâtiments saisis.*

#### ARTICLE L.

L'autorité visée à l'article précédent, à laquelle le navire arrêté a été remis, procédera à une enquête complète, selon les lois et règlements de

sible, to the international information office, which shall communicate the same to the nearest consular or territorial authority of the power whose flag the vessel in question has shown. Duplicates of these documents shall be kept in the archives of the bureau.

#### ARTICLE XLIX.

If, in performing the acts of supervision mentioned in the preceding articles, the officer in command of the cruiser is convinced that an act connected with the slave-trade has been committed on board during the passage, or that irrefutable proofs exist against the captain, or fitter-out, for accusing him of fraudulent use of the flag, or fraud, or participation in the slave-trade, he shall conduct the arrested vessel to the nearest port of the zone where there is a competent magistrate of the power whose flag has been used.

Each signatory power engages to appoint in the zone, and to make known to the international information office, the territorial or consular authorities or special delegates who are competent in the above-mentioned cases.

A suspected vessel may also be turned over to a cruiser of its own nation, if the latter consents to take charge of it.

#### 3. Of the examination and trial of vessels seized.

#### ARTICLE L.

The magistrate referred to in the preceding article, to whom the arrested vessel has been turned over, shall proceed to make a full investi-

sa nation, en présence d'un officier du croiseur étranger.

#### ARTICLE LI.

S'il résulte de cette enquête qu'il y a eu usurpation de pavillon, le navire arrêté restera à la disposition du capteur.

#### ARTICLE LII.

Si l'enquête établit un fait de traite défini par la présence à bord d'esclaves destinés à être vendus ou d'autres faits de traite prévus par les conventions particulières, le navire et sa cargaison demeurent sous séquestre, à la garde de l'autorité qui a dirigé l'enquête.

Le capitaine et l'équipage seront déférés aux tribunaux désignés aux articles LIV et LVI. Les esclaves seront mis en liberté après qu'un jugement aura été rendu.

Dans les cas prévus par cet article, il sera disposé des esclaves libérés conformément aux conventions particulières conclues ou à conclure entre les Puissances signataires. A défaut de ces conventions, les dits esclaves pourront être remis à l'autorité locale, pour être renvoyés, si c'est possible, dans leur pays d'origine ; sinon cette autorité leur facilitera, autant qu'il dépendra d'elle, les moyens de vivre, et, s'ils le désirent, de se fixer dans la contrée.

#### ARTICLE LIII.

Si l'enquête prouve que le bâtiment est arrêté illégalement, il y

gation, according to the laws and rules of his country, in the presence of an officer belonging to the foreign cruiser.

#### ARTICLE LI.

If it is proved by the inquiry that the flag has been fraudulently used, the arrested vessel shall remain at the disposal of its captor.

#### ARTICLE LII.

If the examination shows an act connected with the slave-trade, proved by the presence on board of slaves destined for sale, or any other offense connected with the slave-trade for which provision is made by special convention, the vessel and cargo shall remain sequestered in charge of the magistrate who shall have conducted the inquiry.

The captain and crew shall be turned over to the tribunals designated by Articles LIV and LVI. The slaves shall be set at liberty as soon as judgment has been pronounced.

In the cases provided for by this article, liberated slaves shall be disposed of in accordance with the special conventions concluded, or to be concluded, between the signatory powers. In default of such conventions, the said slaves shall be turned over to the local authority, to be sent back, if possible, to their country of origin ; if not, this authority shall facilitate to them, in so far as may be in its power, the means of livelihood, and, if they desire it, of settling on the spot.

#### ARTICLE LIII.

If it shall be proved by the inquiry that the vessel has been illegally ar-

aura lieu de plein droit à une indemnité proportionnelle au préjudice éprouvé par le bâtiment détourné de sa route.

La quotité de cette indemnité sera fixée par l'autorité qui a dirigé l'enquête.

#### ARTICLE LIV.

Dans le cas où l'officier du navire capteur n'accepterait pas les conclusions de l'enquête effectuée en sa présence, la cause serait, de plein droit, déferée au tribunal de la nation dont le bâtiment capturé aurait arboré les couleurs.

Il ne sera fait d'exception à cette règle que dans le cas où le différend porterait sur le chiffre de l'indemnité stipulée à l'article LIII, lequel sera fixé par voie d'arbitrage, ainsi qu'il est spécifié à l'article suivant.

#### ARTICLE LV.

L'officier capteur et l'autorité qui aura dirigé l'enquête désigneront, chacun dans les quarante-huit heures, un arbitre, et les deux arbitres choisis auront eux-mêmes vingt-quatre heures pour désigner un sur-arbitre. Les arbitres devront être choisis, autant que possible, parmi les fonctionnaires diplomatiques, consulaires ou judiciaires des Puissances signataires. Les indigènes se trouvant à la solde des Gouvernements contractants sont formellement exclus. La décision est prise à la majorité des voix. Elle doit être reconnue comme définitive.

Si la juridiction arbitrale n'est pas constituée dans les délais indiqués, il sera procédé, pour l'indemnité comme pour les dommages-intérêts, conformément aux dispositions de l'article LVIII, paragraphe 2.

rested, there shall be clear title to an indemnity in proportion to the damages suffered by the vessel being taken out of its course.

The amount of this indemnity shall be fixed by the authority that has conducted the inquiry.

#### ARTICLE LIV.

In case the officer of the capturing vessel does not accept the conclusions of the inquiry held in his presence, the matter shall be turned over to the tribunal of the nation whose flag the captured vessel has borne.

No exception shall be made to this rule, unless the disagreement arises in respect of the amount of the indemnity stipulated in Article LIII, and this shall be fixed by arbitration, as specified in the following article.

#### ARTICLE LV.

The capturing officer and the authority which has conducted the inquiry shall each appoint a referee within forty-eight hours, and the two arbitrators shall have twenty-four hours to choose an umpire. The arbitrators shall, as far as possible, be chosen from among the diplomatic, consular, or judicial officers of the signatory powers. Natives in the pay of the contracting Governments are formally excluded. The decision shall be by a majority of votes, and be considered as final.

If the court of arbitration is not constituted in the time indicated, the procedure in respect of the indemnity, as in that of damages, shall be in accordance with the provisions of Article LVIII, paragraph 2.

## ARTICLE LVI.

Les causes sont déferées, dans le plus bref délai possible, au tribunal de la nation dont les prévenus ont arboré les couleurs. Cependant les consuls ou toute autre autorité de la même nation que les prévenus, spécialement commissionnés à cet effet, peuvent être autorisés par leur Gouvernement à rendre les jugements aux lieu et place des tribunaux.

## ARTICLE LVII.

La procédure et le jugement des infractions aux dispositions du chapitre III auront toujours lieu aussi sommairement que le permettent les lois et réglemens en vigueur dans les territoires soumis à l'autorité des Puissances signataires.

## ARTICLE LVIII.

Tout jugement du tribunal national ou des autorités visées à l'article LVI déclarant que le navire arrêté ne s'est point livré à la traite sera exécuté sur-le-champ, et pleine liberté sera rendue au navire de continuer sa route.

Dans ce cas, le capitaine ou l'armateur du navire arrêté sans motif légitime de suspicion ou ayant été soumis à des vexations, aura le droit de réclamer des dommages-intérêts dont le montant serait fixé de commun accord entre les Gouvernemens directement intéressés ou par voie d'arbitrage, et payé dans le délai de six mois à partir de la date du jugement qui a acquitté la prise.

## ARTICLE LIX.

En cas de condamnation, le navire séquestré sera déclaré de bonne prise au profit du capteur.

## ARTICLE LVI.

The cases shall be brought with the least possible delay before the tribunal of the nation whose flag has been used by the accused. However, the consuls or any other authority of the same nation as the accused, specially commissioned to this end, may be authorized by their Government to pronounce judgment instead of the tribunal.

## ARTICLE LVII.

The procedure and trial of violations of the provisions of Chapter III shall always be conducted in as summary a manner as is permitted by the laws and regulations in force in the territories subject to the authority of the signatory powers.

## ARTICLE LVIII.

Any decision of the national tribunal or authorities referred to in Article LVI, declaring that the seized vessel did not carry on the slave-trade, shall be immediately enforced, and the vessel shall be at perfect liberty to continue on its course.

In this case, the captain or owner of any vessel that has been seized without legitimate ground of suspicion, or subjected to annoyance, shall have the right of claiming damages, the amount of which shall be fixed by agreement between the Governments directly interested, or by arbitration, and shall be paid within a period of six months from the date of the judgment acquitting the captured vessel.

## ARTICLE LIX.

In case of condemnation, the sequestered vessel shall be declared lawfully seized for the benefit of the captor.

Le capitaine, l'équipage et toutes autres personnes reconnues coupables seront punis, selon la gravité des crimes ou délits commis par eux, et conformément à l'article V.

#### ARTICLE LX.

Les dispositions des articles L à LIX ne portent aucune atteinte ni à la compétence, ni à la procédure des tribunaux spéciaux existants ou de ceux à créer pour connaître des faits de traite.

#### ARTICLE LXI.

Les Hautes Parties contractantes s'engagent à se communiquer réciproquement les instructions qu'elles donneront, en exécution des dispositions du chapitre III, aux commandants de leurs bâtiments de guerre naviguant dans les mers de la zone indiquée.

CHAPITRE IV. *Pays de destination dont les institutions comportent l'existence de l'esclavage domestique.*

#### ARTICLE LXII.

Les Puissances contractantes dont les institutions comportent l'existence de l'esclavage domestique et dont, par suite de ce fait, les possessions situées dans ou hors l'Afrique servent, malgré la vigilance des autorités, de lieux de destination aux esclaves africains, s'engagent à en prohiber l'importation, le transit, la sortie ainsi que le commerce. La surveillance la plus active et la plus sévère possible sera organisée par elles sur tous les points où s'opèrent l'entrée, le passage et la sortie des esclaves africains.

The captain, crew, and all other persons found guilty shall be punished according to the gravity of the crimes or offenses committed by them, and in accordance with Article V.

#### ARTICLE LX.

The provisions of Articles L to LIX do not in any way affect the jurisdiction or procedure of existing special tribunals, or of such as may hereafter be formed to take cognizance of offenses connected with the slave-trade.

#### ARTICLE LXI.

The high contracting parties engage to make known to one another, reciprocally, the instructions which they shall give, for the execution of the provisions of Chapter III, to the commanders of their men-of-war navigating the seas of the zone referred to.

CHAPTER IV. *Countries to which slaves are sent, whose institutions recognize the existence of domestic slavery.*

#### ARTICLE LXII.

The contracting powers whose institutions recognize the existence of domestic slavery, and whose possessions, in consequence thereof, in or out of Africa, serve, in spite of the vigilance of the authorities, as places of destination for African slaves, pledge themselves to prohibit their importation, transit and departure, as well as the trade in slaves. The most active and the strictest supervision shall be enforced at all places where the arrival, transit, and departure of African slaves take place.

## ARTICLE LXIII.

Les esclaves libérés en exécution de l'article précédent seront, si les circonstances le permettent, renvoyés dans leur pays d'origine. Dans tous les cas, ils recevront des lettres d'affranchissement des autorités compétentes et auront droit à leur protection et à leur assistance afin de trouver des moyens d'existence.

## ARTICLE LXIV.

Tout esclave fugitif arrivant à la frontière d'une des Puissances mentionnées à l'article LXII sera réputé libre et sera en droit de réclamer des autorités compétentes des lettres d'affranchissement.

## ARTICLE LXV.

Toute vente ou transaction dont les esclaves visés aux articles LXIII et LXIV auraient été l'objet par suite de circonstances quelconques, sera considérée comme nulle ou non avenue.

## ARTICLE LXVI. ■

Les navires indigènes portant le pavillon d'un des pays mentionnés à l'article LXII, s'il existe des indices qu'ils se livrent à des opérations de traite, seront soumis par les autorités locales, dans les ports qu'ils fréquentent, à une vérification rigoureuse de leur équipage et des passagers, tant à l'entrée qu'à la sortie. En cas de présence à bord d'esclaves africains, il sera procédé judiciairement contre le bâtiment et contre toutes personnes qu'il y aura lieu d'inculper. Les esclaves trouvés à bord recevront des lettres d'affranchissement par les soins des autorités qui auront opéré la saisie des navires.

## ARTICLE LXIII.

Slaves set free under the provisions of the preceding article shall, if circumstances permit, be sent back to the country from whence they came. In all cases they shall receive letters of liberation from the competent authorities, and shall be entitled to their protection and assistance for the purpose of obtaining means of subsistence.

## ARTICLE LXIV.

Any fugitive slave arriving at the frontier of any of the powers mentioned in Article LXII shall be considered free, and shall have the right to claim letters of release from the competent authorities.

## ARTICLE LXV.

Any sale or transaction to which the slaves referred to in Articles LXIII and LXIV may have been subjected through circumstances of any kind whatsoever, shall be considered as null and void.

## ARTICLE LXVI.

Native vessels<sup>1</sup> carrying the flag of one of the countries mentioned in Article LXII, if there is any indication that they are employed in operations connected with the slave-trade, shall be subjected by the local authorities in the ports frequented by them to a strict examination of their crews and passengers both on arrival and departure. If African slaves are found on board, judicial proceedings shall be instituted against the vessel and against all persons who may be implicated. Slaves found on board shall receive letters of release through the authorities who have seized the vessels.



## ARTICLE LXVII.

Des dispositions pénales en rapport avec celles prévues par l'article V seront édictées contre les importateurs, transportateurs et marchands d'esclaves africains, contre les auteurs de mutilation d'enfants ou d'adultes mâles et ceux qui en trafiquent, ainsi que contre leurs co-auteurs et complices.

## ARTICLE LXVIII.

Les Puissances signataires reconnaissent la haute valeur de la loi sur la prohibition de la traite des noirs, sanctionnée par Sa Majesté l'Empereur des Ottomans le 4/16 décembre 1889 (22 Rebi-ul-Akhir 1307), et elles sont assurées qu'une surveillance active sera organisée par les autorités ottomanes, particulièrement sur la côte occidentale de l'Arabie et sur les routes qui mettent cette côte en communication avec les autres possessions de Sa Majesté impériale en Asie.

## ARTICLE LXIX.

Sa Majesté le Shah de Perse consent à organiser une surveillance active dans les eaux territoriales et sur celles des côtes du golfe Persique et du golfe d'Oman qui sont placées sous sa souveraineté, ainsi que sur les routes intérieures qui servent au transport des esclaves. Les magistrats et les autres autorités recevront à cet effet les pouvoirs nécessaires.

## ARTICLE LXX.

Sa Hautesse le Sultan de Zanzibar consent à prêter son concours le plus efficace pour la répression des crimes : délits commis par les trafiquants d'esclaves africains sur terre comme

## ARTICLE LXVII.

Penal provisions similar to those provided for by Article V shall be enacted against persons importing, transporting, and trading in African slaves, against the mutilators of male children or adults, and those who traffic in them, as well as against their associates and accomplices.

## ARTICLE LXVIII.

The signatory powers recognize the great importance of the law respecting the prohibition of the slave-trade sanctioned by His Majesty the Emperor of the Ottomans on the 4th (16th) of December, 1889 (22 Rebi-ul-Akhir, 1307), and they are assured that an active surveillance will be organized by the Ottoman authorities, especially on the west coast of Arabia and on the routes which place that coast in communication with the other possessions of His Imperial Majesty in Asia.

## ARTICLE LXIX.

His Majesty the Shah of Persia consents to organize an active surveillance in the territorial waters and those off the coast of the Persian Gulf and Gulf of Oman which are under his sovereignty, and on the inland routes which serve for the transportation of slaves. The magistrates and other authorities shall, to this effect, receive the necessary powers.

## ARTICLE LXX.

His Highness the Sultan of Zanzibar consents to give his most effective support to the repression of crimes and offences committed by African slave-traders on land as well

sur mer. Les tribunaux institués à cette fin dans le Sultanat de Zanzibar appliqueront strictement les dispositions pénales prévues à l'article V. Afin de mieux assurer la liberté des esclaves libérés, tant en vertu des dispositions du présent Acte général que des décrets rendus en cette matière par Sa Hautesse et ses prédécesseurs, un bureau d'affranchissement sera établi à Zanzibar.

#### ARTICLE LXXI.

Les agents diplomatiques et consulaires, et les officiers de marine des Puissances contractantes prêteront, dans les limites des conventions existantes, aux autorités locales leur concours, afin d'aider à réprimer la traite là où elle existe encore; ils auront le droit d'assister aux procès de traite qu'ils auront provoqués, sans pouvoir prendre part à la délibération.

#### ARTICLE LXXII.

Des bureaux d'affranchissement ou des institutions qui en tiennent lieu seront organisés par les administrations des pays de destination des esclaves africains, aux fins déterminées à l'article XVIII.

#### ARTICLE LXXIII.

Les Puissances signataires s'étant engagées à se communiquer tous les renseignements utiles pour combattre la traite, les Gouvernements que concernent les dispositions du présent chapitre échangeront périodiquement avec les autres gouvernements les données statistiques relatives aux esclaves arrêtés et libérés, ainsi que

as at sea. The tribunals created for this purpose in the Sultanate of Zanzibar shall rigorously enforce the penal provisions mentioned in Article V. In order to render more secure the freedom of liberated slaves, both in virtue of the provisions of the present general act and of the decrees adopted in this matter by His Highness and his predecessors, a liberation office shall be established at Zanzibar.

#### ARTICLE LXXI.

The diplomatic and consular agents and the naval officers of the contracting powers shall, within the limits of existing conventions, give their assistance to the local authorities in order to assist in repressing the slave-trade where it still exists. They shall be entitled to be present at trials for slave-trading brought about at their instance, without, however, being entitled, to take part in the deliberations.

#### ARTICLE LXXII.

Liberation offices, or institutions in lieu thereof, shall be organized by the governments of the countries to which African slaves are sent, for the purposes specified by Article XVIII.

#### ARTICLE LXXIII.

The signatory powers having undertaken to communicate to one another all information useful for the repression of the slave-trade, the Governments whom the present chapter concerns shall periodically exchange with the other Governments statistical data relating to slaves intercepted and liberated, and to the legislative and

es mesures législatives ou administratives prises afin de réprimer la traite.

CHAPITRE V. *Institutions destinées à assurer l'exécution de l'Acte général.*

§ I.—*Du bureau international maritime.*

ARTICLE LXXIV

Conformément aux dispositions de l'article XXVII, il est institué à Zanzibar un bureau international où chacune des Puissances signataires pourra se faire représenter par un délégué.

ARTICLE LXXV.

Le Bureau sera constitué dès que trois Puissances auront désigné leur représentant.

Il élaborera un règlement fixant le mode d'exercice de ses attributions. Ce règlement sera immédiatement soumis à la sanction des Puissances signataires qui auront notifié leur intention de s'y faire représenter et qui ratifieront à cet égard dans le plus bref délai possible.

ARTICLE LXXVI.

Les frais de cette institution seront épartis, à parts égales, entre les Puissances signataires mentionnées à l'article précédent.

ARTICLE LXXVII.

Le Bureau de Zanzibar aura permission de centraliser tous les documents et renseignements qui seraient de la nature à faciliter la répression de la traite dans la zone maritime. A cet effet, les Puissances signataires s'engagent à lui faire parvenir, dans le plus bref délai possible :

1° Les documents spécifiés à l'article XLI ;

administrative measures which have been taken for suppressing the slave-trade.

CHAPTER V. *Institutions intended to insure the execution of the general act.*

SECTION I. *Of the international maritime office.*

ARTICLE LXXIV.

In accordance with the provisions of Article XXVII, an international office shall be instituted at Zanzibar, in which each of the signatory powers may be represented by a delegate.

ARTICLE LXXV.

The office shall be constituted as soon as three powers have appointed their representatives.

It shall draw up regulations fixing the manner of exercising its functions. These regulations shall immediately be submitted to the approval of such signatory powers as shall have signified their intention of being represented in this office. They shall decide in this respect within the shortest possible time.

ARTICLE LXXVI.

The expenses of this institution shall be divided in equal parts among the signatory powers mentioned in the preceding article.

ARTICLE LXXVII.

The object of the office at Zanzibar shall be to centralize all documents and information of a nature to facilitate the repression of the slave-trade in the maritime zone. For this purpose the signatory powers engage to forward within the shortest time possible :

1. The documents specified in Article XLI ;

2° Le résumé des rapports et la copie des procès-verbaux visés à l'article XLVIII ;

3° La liste des autorités territoriales ou consulaires et des délégués spéciaux compétents pour procéder à l'égard des bâtiments arrêtés, aux termes de l'article XLIX ;

4° La copie des jugements et arrêts de condamnation rendus conformément à l'article LVIII ;

5° Tous les renseignements propres à amener la découverte des personnes qui se livrent aux opérations de la traite dans la zone susdite.

#### ARTICLE LXXVIII.

Les archives du Bureau seront toujours ouvertes aux officiers de la marine des Puissances signataires autorisés à agir dans les limites de la zone définie à l'article XXI, de même qu'aux autorités territoriales ou judiciaires et aux consuls spécialement désignés par leurs gouvernements.

Le Bureau devra fournir aux officiers et agents étrangers autorisés à consulter ses archives, les traductions en une langue européenne des documents qui seraient rédigés dans une langue orientale.

Il fera les communications prévues à l'article XLVIII.

#### ARTICLE LXXIX.

Des Bureaux auxiliaires en rapport avec le Bureau de Zanzibar pourront être établis dans certaines parties de la zone, en vertu d'un accord préalable entre les Puissances intéressés.

Ils seront composés des délégués de ces Puissances et établis conformément aux articles LXXV, LXXVI et LXXVIII.

2. Summaries of the reports and copies of the minutes referred to in Article XLVIII ;

3. The list of the territorial or consular authorities and special delegates competent to take action as regards vessels seized according to the terms of Article XLIX ;

4. Copies of judgments and condemnations in accordance with Article LVIII ;

5. All information that may lead to the discovery of persons engaged in the slave-trade in the above-mentioned zone.

#### ARTICLE LXXVIII.

The archives of the office shall always be open to the naval officers of the signatory powers authorized to act within the limits of the zone defined by Article XXI, as well as to the territorial or judicial authorities, and to consuls specially designated by their Governments.

The office shall supply to foreign officers and agents authorized to consult its archives, translations into a European language of documents written in an Oriental language.

It shall make the communications provided for in Article XLVIII.

#### ARTICLE LXXIX.

Auxiliary offices in communication with the office at Zanzibar may be established in certain parts of the zone, in pursuance of a previous agreement between the interested powers.

They shall be composed of delegates of these powers, and established in accordance with Articles LXXV, LXXVI, and LXXVIII.

Les documents et renseignements spécifiés à l'article LXXVII, en tant qu'ils concernent la partie afférente de la zone, leur seront envoyés directement par les autorités territoriales et consulaires de cette région, sans préjudice de la communication au Bureau de Zanzibar prévue par le même article.

#### ARTICLE LXXX.

Le Bureau de Zanzibar dressera, dans les deux premiers mois de chaque année, un rapport sur ses opérations et celles des bureaux auxiliaires pendant l'année écoulée.

§ II.—*De l'échange entre les gouvernements des documents et renseignements relatifs à la traite.*

#### ARTICLE LXXXI.

Les Puissances se communiqueront dans la plus large mesure et le plus bref délai qu'elles jugeront possibles :

1<sup>o</sup> Le texte des lois et règlements d'administration existants ou édictés par application des clauses du présent Acte général ;

2<sup>o</sup> Les renseignements statistiques concernant la traite, les esclaves arrêtés et libérés, le trafic des armes, des munitions et des alcools.

#### ARTICLE LXXXII.

L'échange de ces documents et renseignements sera centralisé dans un bureau spécial rattaché au Département des Affaires Étrangères à Bruxelles.

#### ARTICLE LXXXIII.

Le Bureau de Zanzibar lui fera parvenir, chaque année, le rapport men-

The documents and information specified in Article LXXVII, so far as they may relate to a part of the zone specially concerned, shall be sent to them directly by the territorial and consular authorities of the region in question, but this shall not exempt the latter from the duty of communicating the same to the office at Zanzibar, as provided by the same article.

#### ARTICLE LXXX.

The office at Zanzibar shall prepare in the first two months of every year, a report of its own operations and of those of the auxiliary offices, during the past twelve months.

SECTION II. *Of the exchange between the Governments of documents and information relating to the slave-trade.*

#### ARTICLE LXXXI.

The powers shall communicate to one another, to the fullest extent and with the least delay that they shall consider possible :

1. The text of the laws and administrative regulations, existing or enacted by application of the clauses of the present general act ;

2. Statistical information concerning the slave-trade, slaves arrested and liberated, and the traffic in firearms, ammunition, and alcoholic liquors.

#### ARTICLE LXXXII.

The exchange of these documents and information shall be centralized in a special office attached to the foreign office at Brussels.

#### ARTICLE LXXXIII.

The office at Zanzibar shall forward to it every year the report men-

tionné à l'article LXXX sur ses opérations pendant l'année écoulée et sur celles des bureaux auxiliaires qui viendraient à être établis conformément à l'article LXXIX.

#### ARTICLE LXXXIV.

Les documents et renseignements seront réunis et publiés périodiquement et adressés à toutes les Puissances signataires. Cette publication sera accompagnée, chaque année, d'une table analytique des documents législatifs, administratifs et statistiques mentionnés aux articles LXXXI et LXXXIII.

#### ARTICLE LXXXV.

Les frais de bureau, de correspondance, de traduction et d'impression qui en résulteront, seront supportés par toutes les Puissances signataires et recouvrés par les soins du Département des Affaires Étrangères à Bruxelles.

#### § III.—*De la protection des esclaves libérés.*

#### ARTICLE LXXXVI.

Les Puissances signataires ayant reconnu le devoir de protéger les esclaves libérés dans leurs possessions respectives s'engagent à établir, s'il n'en existe déjà, dans les ports de la zone déterminée à l'article XXI et dans les endroits de leurs dites possessions qui seraient des lieux de capture, de passage et d'arrivée d'esclaves africains, des bureaux ou des institutions en nombre jugé suffisant par elles et qui seront chargés spécialement de les affranchir et de les protéger, conformément aux dispositions des articles VI, XVIII, LII, LXIII et LXVI.

tioned in Article LXXX, concerning its operations during the past year, and concerning those of the auxiliary offices that may have been established in accordance with Article LXXIX.

#### ARTICLE LXXXIV.

The documents and information shall be collected and published periodically, and addressed to all the signatory powers. This publication shall be accompanied every year by an analytical table of the legislative, administrative, and statistical documents mentioned in Articles LXXXI and LXXXIII.

#### ARTICLE LXXXV.

The office expenses as well as those incurred in correspondence, translation, and printing, shall be shared by all the signatory powers, and shall be collected through the agency of the department of the foreign office at Brussels.

#### SECTION III. *Of the protection of liberated slaves.*

#### ARTICLE LXXXVI.

The signatory powers having recognized the duty of protecting liberated slaves in their respective possessions, engage to establish, if they do not already exist, in the ports of the zone determined by Article XXI, and in such parts of their said possessions as may be places for the capture, passage and arrival of African slaves, such offices and institutions as may be deemed sufficient by them, whose business shall specially consist in liberating and protecting them in accordance with the provisions of Articles VI, XVIII, LII, LXIII, and LXVI.

## ARTICLE LXXXVII.

Les bureaux d'affranchissement ou les autorités chargées de ce service délivreront les lettres d'affranchissement et en tiendront registre.

En cas de dénonciation d'un fait de traite ou de détention illégale, ou sur le recours des esclaves eux-mêmes, les dits bureaux ou autorités feront toutes les diligences nécessaires pour assurer la libération des esclaves et la punition des coupables.

La remise des lettres d'affranchissement ne saurait, en aucun cas, être retardée, si l'esclave est accusé d'un crime ou délit de droit commun. Mais, après la délivrance des dites lettres, il sera procédé à l'instruction en la forme établie par la procédure ordinaire.

## ARTICLE LXXXVIII.

Les Puissances signataires favoriseront, dans leurs possessions, la fondation d'établissements de refuge pour les femmes et d'éducation pour les enfants libérés.

## ARTICLE LXXXIX.

Les esclaves affranchis pourront toujours recourir aux bureaux pour être protégés dans la jouissance de leur liberté.

Quiconque aura usé de fraude ou de violence pour enlever à un esclave libéré ses lettres d'affranchissement, ou pour le priver de sa liberté, sera considéré comme marchand d'esclaves.

CHAPITRE VI. *Mesures restrictives du trafic des spiritueux.*

## ARTICLE XC.

Justement préoccupées des conséquences morales et matérielles qu'en-

## ARTICLE LXXXVII.

The liberation offices or the authorities charged with this service shall deliver letters of release and shall keep a register thereof.

In case of the denunciation of an act connected with the slave-trade, or one of illegal detention, or on application of the slaves themselves, the said offices or authorities shall exercise all necessary diligence to insure the release of the slaves and the punishment of the offenders.

The delivery of letters of release shall in no case be delayed, if the slave be accused of a crime or offence against the common law. But after the delivery of the said letters an investigation shall be proceeded with in the form established by the ordinary procedure.

## ARTICLE LXXXVIII.

The signatory powers shall favor, in their possessions, the foundation of establishments of refuge for women and of education for liberated children.

## ARTICLE LXXXIX.

Freed slaves may always apply to the offices for protection in the enjoyment of their freedom.

Whoever shall have used fraudulent or violent means to deprive a freed slave of his letters of release or of his liberty, shall be considered as a slave-dealer.

CHAPTER VI. *Measures to restrict the traffic in spirituous liquors.*

## ARTICLE XC.

Being justly anxious concerning the moral and material consequences

traîne pour les populations indigènes l'abus des spiritueux, les Puissances signataires sont convenues d'appliquer les dispositions des articles XCI, XCII et XCIII dans une zone délimitée par le 20° degré latitude nord et par le 22° degré latitude sud, et aboutissant vers l'ouest à l'océan Atlantique et vers l'est à l'océan Indien et à ses dépendances, y compris les îles adjacentes au littoral jusqu'à 100 milles marins de la côte.

#### ARTICLE XCI.

Dans les régions de cette zone où il sera constaté que, soit à raison des croyances religieuses, soit pour d'autres motifs, l'usage des boissons distillées n'existe pas ou ne s'est pas développé, les Puissances en prohiberont l'entrée. La fabrication des boissons distillées y sera également interdite.

Chaque Puissance déterminera les limites de la zone de prohibition des boissons alcooliques dans ses possessions ou protectorats, et sera tenue d'en notifier le tracé aux autres Puissances dans un délai de six mois.

Il ne pourra être dérogé à la susdite prohibition que pour des quantités limitées, destinées à la consommation des populations non indigènes et introduites sous le régime et dans les conditions déterminées par chaque Gouvernement.

#### ARTICLE XCII.

Les Puissances ayant des possessions ou exerçant des protectorats dans les régions de la zone qui ne sont pas placées sous le régime de la prohibition et où les spiritueux sont

to which the abuse of spirituous liquors subjects the native population, the signatory powers have agreed to enforce the provisions of Articles XCI, XCII and XCIII within a zone extending from the 20th degree of North latitude to the 22d degree of South latitude, and bounded on the west by the Atlantic Ocean and on the east by the Indian Ocean and its dependencies, including the islands adjacent to the mainland within 100 nautical miles from the coast.

#### ARTICLE XCI.

In the districts of this zone where it shall be ascertained that, either on account of religious belief or from some other causes, the use of distilled liquors does not exist or has not been developed, the powers shall prohibit their importation. The manufacture of distilled liquors shall be likewise prohibited there.

Each power shall determine the limits of the zone of prohibition of alcoholic liquors in its possessions or protectorates, and shall be bound to make known the limits thereof to the other powers within the space of six months.

The above prohibition can only be suspended in the case of limited quantities intended for the consumption of the non-native population and imported under the regime and conditions determined by each Government.

#### ARTICLE XCII.

The powers having possessions or exercising protectorates in those regions of the zone which are not subjected to the regime of the prohibition, and into which alcoholic liquors



actuellement importés librement ou soumis à un droit d'importation inférieur à 15 francs par hectolitre à 50° centigrades, s'engagent à établir sur ces spiritueux un droit d'entrée qui sera de 15 francs par hectolitre à 50° centigrades, pendant les trois années qui suivront la mise en vigueur du présent Acte général. A l'expiration de cette période, le droit pourra être porté à 25 francs pendant une nouvelle période de trois années. Il sera, à la fin de la sixième année, soumis à révision, en prenant pour base une étude comparative des résultats produits par ces tarifications, à l'effet d'arrêter alors, si faire se peut, une taxe minima dans toute l'étendue de la zone où n'existerait pas le régime de la prohibition visé à l'article XCI.

Les Puissances conservent le droit de maintenir et d'élever les taxes au delà du minimum fixé par le présent article dans les régions où elles le possèdent actuellement.

#### ARTICLE XCIII.

Les boissons distillées qui seraient fabriquées dans les régions visées à l'article XCII et destinées à être livrées à la consommation intérieure, seront grevées d'un droit d'accise.

Ce droit d'accise, dont les Puissances s'engagent à assurer la perception dans la limite du possible, ne sera pas inférieur au minimum des droits d'entrée fixé par l'article XCII.

#### ARTICLE XCIV.

Les Puissances signataires qui ont en Afrique des possessions en contact avec la zone spécifiée à l'article XC s'engagent à prendre les mesures nécessaires pour empêcher l'introduc-

are at present either freely imported or pay an import duty of less than 15 francs per hectolitre at 50 degrees centigrade, engage to levy on such alcoholic liquors an import duty of 15 francs per hectolitre at 50 degrees centigrade, for three years after the present general act comes into force. At the expiration of this period the duty may be increased to 25 francs during a fresh period of three years. At the end of the sixth year it shall be submitted to revision, the average results produced by these tariffs being taken as a basis, for the purpose of then fixing, if possible, a minimum duty throughout the whole extent of the zone where the prohibition referred to in Article XCI is not in force.

The powers retain the right of maintaining and increasing the duties beyond the minimum fixed by the present article in those regions where they already possess that right.

#### ARTICLE XCIII.

Distilled liquors manufactured in the regions referred to in Article XCII, and intended for inland consumption, shall be subject to an excise duty.

This excise duty, the collection of which the powers engage to secure, as far as possible, shall not be less than the minimum import duty fixed by Article XCII.

#### ARTICLE XCIV.

The signatory powers having possessions in Africa contiguous to the zone specified in Article XC engage to adopt the necessary measures for preventing the introduction of spirit-

tion des spiritueux, par leurs frontières intérieures, dans les territoires de la dite zone.

#### ARTICLE XCV.

Les Puissances se communiqueront, par l'entremise du Bureau de Bruxelles, dans les conditions indiquées au chapitre V, les renseignements relatifs au trafic des spiritueux dans leurs territoires respectifs.

#### CHAPITRE VII. *Dispositions finales.*

##### ARTICLE XCVI.

Le présent Acte général abroge toutes stipulations contraires des conventions antérieurement conclues entre les Puissances signataires.

##### ARTICLE XCVII.

Les Puissances signataires, sans préjudice de ce qui est stipulé aux articles XIV, XXIII et XCII, se réservent d'introduire au présent Acte général, ultérieurement et d'un commun accord, les modifications ou améliorations dont l'utilité serait démontrée par l'expérience.

##### ARTICLE XCVIII.

Les Puissances qui n'ont pas signé le présent Acte général pourront être admises à y adhérer.

Les Puissances signataires se réservent de mettre à cette adhésion telles conditions qu'elles jugeraient nécessaires.

Si aucune condition n'est stipulée, l'adhésion emporte de plein droit l'acceptation de toutes les obligations et l'admission à tous les avantages stipulés par le présent Acte général.

Les Puissances se concerteront sur les démarches à faire pour amener l'adhésion des États dont le concours

nous liquors within the territories of the said zone via their inland frontiers.

#### ARTICLE XCV.

The powers shall communicate to one another, through the office at Brussels, and according to the terms of Chapter V, information relating to the traffic in alcoholic liquors within their respective territories.

#### CHAPTER VII. *Final provisions.*

##### ARTICLE XCVI.

The present general act repeals all contrary stipulations of conventions previously concluded between the signatory powers.

##### ARTICLE XCVII.

The signatory powers, without prejudice to the stipulations contained in Articles XIV, XXIII and XCII, reserve the right of introducing into the present general act, hereafter and by common consent, such modifications or improvements as experience may prove to be useful.

##### ARTICLE XCVIII.

Powers who have not signed the present general act shall be allowed to adhere to it.

The signatory powers reserve the right to impose such conditions as they may deem necessary to their adhesion.

If no conditions shall be stipulated, adhesion implies acceptance of all the obligations and admission to all the advantages stipulated by the present general act.

The powers shall agree among themselves as to the steps to be taken to secure the adhesion of states whose

serait nécessaire ou utile pour assurer l'exécution complète de l'Acte général.

L'adhésion se fera par un acte séparé. Elle sera notifiée par la voie diplomatique au Gouvernement de Sa Majesté le Roi des Belges, et par celui-ci à tous les États signataires et adhérents.

#### ARTICLE XCIX.

Le présent Acte général sera ratifié dans un délai qui sera le plus court possible et qui, en aucun cas, ne pourra excéder un an.

Chaque Puissance adressera sa ratification au Gouvernement de Sa Majesté le Roi des Belges, qui en donnera avis à toutes les autres Puissances signataires du présent Acte général.

Les ratifications de toutes les Puissances resteront déposées dans les archives du royaume de Belgique.

Aussitôt que toutes les ratifications auront été produites, ou au plus tard un an après la signature du présent Acte général, il sera dressé acte du dépôt dans un Protocole qui sera signé par les Représentants de toutes les Puissances qui auront ratifié.

Une copie certifiée de ce Protocole sera adressée à toutes les Puissances intéressées.

#### ARTICLE C.

Le présent Acte général entrera en vigueur dans toutes les possessions des Puissances contractantes le sixième jour à partir de celui où aura été dressé le Protocole de dépôt prévu à l'article précédent.

En foi de quoi, les Plénipotentiaires respectifs ont signé le présent

cooperation may be necessary or useful in order to insure complete execution of the general act.

Adhesion shall be effected by a separate act. Notice thereof shall be given through the diplomatic channel to the Government of the King of the Belgians, and by that Government to all the signatory and adherent states.

#### ARTICLE XCIX.

The present general act shall be ratified within the shortest possible period, which shall not in any case exceed one year.

Each power shall address its ratification to the Government of the King of the Belgians, which shall give notice thereof to all the other powers that have signed the present general act.

The ratifications of all the powers shall remain deposited in the archives of the Kingdom of Belgium.

As soon as all the ratifications shall have been furnished, or at the latest one year after the signature of the present general act, their delivery shall be recorded in a protocol which shall be signed by the representatives of all the powers that have ratified.

A certified copy of this protocol shall be forwarded to all the powers interested.

#### ARTICLE C.

The present general act shall come into force in all the possessions of the contracting powers on the sixth day, reckoned from the day on which the protocol provided for in the preceding article shall have been drawn up.

In witness whereof the respective plenipotentiaries have signed the

Acte général et y ont apposé leur cachet.

Fait à Bruxelles, le deuxième jour du mois de juillet mil huit cent quatre-vingt-dix.

[SEAL] EDWIN H. TERRELL.  
 [SEAL] H. S. SANFORD.  
 [SEAL] ALVENSLEBEN.  
 [SEAL] GOEHRING.  
 [SEAL] R. KHEVENHÜLLER.  
 [SEAL] LAMBERMONT.  
 [SEAL] E. BANNING.  
 [SEAL] SCHACK DE BROCKDORFF.  
 [SEAL] J. G. DE AGÜERA.  
 [SEAL] EDM. VAN EETVELDE.  
 [SEAL] A. VAN MALDEGHEM.  
 [SEAL] A. BOURÉE.  
 [SEAL] G. COGORDAN.  
 [SEAL] VIVIAN.  
 [SEAL] JOHN KIRK.  
 [SEAL] F. DE RENZIS.  
 [SEAL] T. CATALANI.  
 [SEAL] L. GERICKE.  
 [SEAL] NAZARE AGA.  
 [SEAL] HENRIQUE DE MACEDO  
 PEREIRA COUTINHO.  
 [SEAL] L. OUROUSOFF.  
 [SEAL] MARTENS.  
 [SEAL] BURENSTAM.  
 [SEAL] ET. CARATHÉODORY.  
 [SEAL] JOHN KIRK.  
 [SEAL] GOEHRING.

present general act, and have thereto affixed their seals.

Done at Brussels the 2nd day of the month of July, 1890.

[SEAL] EDWIN H. TERRELL.  
 [SEAL] H. S. SANFORD.  
 [SEAL] ALVENSLEBEN.  
 [SEAL] GOEHRING.  
 [SEAL] R. KHEVENHÜLLER.  
 [SEAL] LAMBERMONT.  
 [SEAL] E. BANNING.  
 [SEAL] SCHACK DE BROCKDORFF.  
 [SEAL] J. G. DE AGÜERA.  
 [SEAL] EDM. VAN EETVELDE.  
 [SEAL] A. VAN MALDEGHEM.  
 [SEAL] A. BOURÉE.  
 [SEAL] G. COGORDAN.  
 [SEAL] VIVIAN.  
 [SEAL] JOHN KIRK.  
 [SEAL] F. DE RENZIS.  
 [SEAL] T. CATALANI.  
 [SEAL] L. GERICKE.  
 [SEAL] NAZARE AGA.  
 [SEAL] HENRIQUE DE MACEDO  
 PEREIRA COUTINHO.  
 [SEAL] L. OUROUSOFF.  
 [SEAL] MARTENS.  
 [SEAL] BURENSTAM.  
 [SEAL] ET. CARATHÉODORY.  
 [SEAL] JOHN KIRK.  
 [SEAL] GOEHRING.

## ANNEXE À L'ACTE GÉNÉRAL. (ARTICLE XXXIX.)

*Autorisation de naviguer au petit cabotage sur la côte orientale d'Afrique conformément à l'article XXXIX.*

Nom du bateau avec indication du genre de construction et de gréement.	Nationalité.	Tonnage.	Port d'attache.	Nom du capitaine.	Nombre des hommes d'équipage.	Nombre maximum de passagers.	Parages dans lesquels le bateau doit naviguer.	Observations générales.

La présente autorisation doit être renouvelée le ———.  
Qualité du fonctionnaire qui a délivré le permis :

## ARTICLE XXXIX.

## ANNEX TO THE GENERAL ACT.

*License to ply the coasting trade on the East Coast of Africa in conformity with Article XXXIX.*

Name of vessel, with description of form of build and rig.	Nationality.	Tonnage.	Port of register.	Name of captain.	Number of crew.	Maximum number of passengers.	Limits within which vessel is entitled to ply.	General remarks.

The present license must be renewed on the ———.  
Rank of official who has issued the permit : ———.

And whereas a protocol was signed at Brussels, on the 2nd. of January, 1892, by the Plenipotentiaries of the Powers aforesaid, providing for the partial ratification of the said General Act on the part of the French Republic, the original draft of which protocol, being in the French language, is word for word as follows :

## Projet de Protocole.

Les soussignés ——— se sont réunis au Ministère des Affaires Étrangères à Bruxelles, conformément à l'article XCIX de l'Acte Général du 2 juillet 1890, et en exécution du Protocole du 2 juillet 1891, afin de dresser acte du dépôt des ratifications de celles des Puissances signataires qui n'avai-

## Draft of a Protocol.

The undersigned, ——— met at the Ministry of Foreign Affairs at Brussels, in pursuance of Article XCIX of the General Act of July 2, 1890, and in execution of the Protocol of July 2, 1891, with a view to preparing a certificate of the deposit of the ratifications of such of the signatory powers

ent pas été en mesure d'opérer ce dépôt à la réunion du 2 juillet 1891.

S. E. le Ministre de France déclare que le Président de la République, dans ses ratifications sur l'Acte Général de Bruxelles, a provisoirement réservé, jusqu'à une entente ultérieure, les articles XXI, XXII et XXIII, ainsi que les articles XLII à LXI.

Les Représentants ——— donnent acte à M. le Ministre de France du dépôt des ratifications du Président de la République Française, ainsi que de l'exception portant sur les articles XXI XXII et XXIII et sur les articles XLII à LXI.

Il est entendu que les Puissances ayant ratifié l'Acte Général dans son entier se reconnaissent réciproquement liées entre elles pour toutes ses clauses.

Il est également entendu que ces Puissances ne seront tenues à l'égard de celles qui auront ratifié partiellement que dans la limite des engagements souscrits par ces dernières.

Enfin, il reste bien entendu qu'à l'égard de la Puissance ayant ratifié partiellement, les matières faisant l'objet des articles XLII à LXI continueront jusqu'à un accord ultérieur à être régies par les stipulations et arrangements actuellement en vigueur.

En foi de quoi \* \* \*

as were unable to make such deposit at the meeting of July 2, 1891.

His Excellency the Minister of France declared that the President of the Republic, in his ratification of the Brussels General Act had provisionally reserved, until a subsequent understanding should be reached, Articles XXI, XXII, XXIII, and XLII to LXI.

The 'representatives ———, acknowledge to the Minister of France the deposit of the ratifications of the President of the French Republic, as well as of the exception bearing upon Articles XXI, XXII, XXIII, and XLII to LXI.

It is understood that the powers which have ratified the General Act in its entirety acknowledge that they are reciprocally bound as regards all its clauses.

It is likewise understood that these powers shall not be bound toward those which shall have ratified it partially, save within the limits of the engagements assumed by the latter powers.

Finally, it is understood that, as regards the powers that have partially ratified, the matters forming the subject of Articles XLII to LXI, shall continue, until a subsequent agreement is adopted, to be governed by the stipulations and arrangements now in force.

In testimony whereof \* \* \*

And whereas the said General Act of July 2, 1890, and the said Protocol of January 2, 1892, were duly ratified by the Governments of the United States of America and of the other Powers aforesaid;

And whereas, in pursuance of the stipulations of Article XCIX of the said General Act and of stipulations subse-

quently agreed upon by the signatories thereof, the ratifications of the said General Act were deposited with the Government of His Majesty the King of the Belgians on the 2nd day of July, 1891, by the Plenipotentiaries of the Governments of Germany, Belgium, Denmark, Spain, the Independent State of the Congo, Great Britain, Italy, the Netherlands, Persia, Sweden and Norway and Zanzibar; on the 3rd day of July, 1891, by the Plenipotentiary of the Government of Austria-Hungary; on the 2nd day of January, 1892, by the Plenipotentiaries of the Governments of Russia, the Ottoman Porte and the French Republic; on the 2nd day of February, 1892, by the Plenipotentiary of the Government of the United States of America; and on the 30th day of March, 1892, by the Plenipotentiary of the Government of Portugal;

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the said General Act of July 2, 1890, and the said Protocol of January 2, 1892, to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be hereunto affixed.

Done at the City of Washington this second day of April, in the year of our Lord one thousand eight hundred and ninety-two, and of the Independence of the United States of America the one hundred and sixteenth.

[SEAL.]

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,  
*Secretary of State.*





## CONVENTION

BETWEEN

THE UNITED STATES OF AMERICA AND OTHER POWERS,

CONCERNING

THE FORMATION OF AN INTERNATIONAL UNION FOR THE PUBLICATION OF CUSTOMS TARIFFS; CERTAIN REGULATIONS FOR THE EXECUTION OF SAID CONVENTION, AND CERTAIN FINAL DECLARATIONS.

---

*Signed at Brussels July 5, 1890.*

*Ratification advised by the Senate December 13, 1890.*

*Ratified by the President December 17, 1890.*

*Proclaimed December 17, 1890.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Whereas a Convention between the United States of America and other Powers concerning the formation of an International Union for the publication of Customs Tariffs, certain Regulations for the execution of the said Convention, and certain Final Declarations were concluded and signed by the respective Plenipotentiaries of the High Contracting Parties aforesaid, at the City of Brussels, on the fifth day of July one thousand eight hundred and ninety, the originals of which Convention, Regulations and Final Declarations, being in the French language, are word for word as follows:

[Translation made in Washington.]

*Convention concernant la Création  
d'une Union Internationale pour la  
Publication des Tarifs Douaniers  
entre*

*Convention concerning the formation of  
an International Union for the pub-  
lication of Customs Tariffs, to which  
the following States are Parties:*

La République Argentine, l'Au-  
riche-Hongrie, la Belgique, la Bo-

The Argentine Republic, Austria-  
Hungary, Belgium, Bolivia, Chili,

livie, le Chili, l'État Indépendant du Congo, la République de Costa-Rica, le Danemark et ses Colonies, l'Espagne et ses Colonies, les États-Unis d'Amérique, la France et ses Colonies, la Grande-Bretagne et diverses Colonies anglaises, l'Inde Britannique, le Dominion du Canada, les Colonies de l'Australie de l'Ouest, du Cap de Bonne Espérance, de Natal, de la Nouvelle Galles du Sud, de la Nouvelle-Zélande, de Queensland, de Tasmanie, de Terre-Neuve et de Victoria, la Grèce, le Guatemala, la République de Haïti, l'Italie et ses Colonies, le Mexique, le Nicaragua, le Paraguay, les Pays-Bas et leurs Colonies, le Pérou, le Portugal et ses Colonies, la Roumanie, la Russie, le Salvador, le Royaume de Siam, la Suisse, la Turquie, l'Uruguay et le Venezuela.

Les soussignés, dûment autorisés, ont, sous réserve d'approbation, arrêté la convention suivante:

ARTICLE 1<sup>er</sup>. Il est formé entre les pays ci-dessus énumérés et tous les pays qui, dans la suite, adhéreront à la présente convention, une association sous le titre de "Union internationale pour la publication des Tarifs douaniers"

ART. 2. Le but de l'Union est de publier, à frais communs, et de faire connaître, aussi promptement et aussi exactement que possible, les Tarifs douaniers des divers États du globe et les modifications que ces tarifs subiront dans la suite.

ART. 3. A cette fin, il sera créé à Bruxelles un Bureau international chargé de la traduction et de la publication de ces Tarifs ainsi que des dis-

the Independent State of the Congo, the Republic of Costa Rica, Denmark and her colonies, France and her colonies, Great Britain and sundry British colonies, British India, the Dominion of Canada, the colonies of West Australia, the Cape of Good Hope, Natal, New South Wales, New Zealand, Queensland, Tasmania, Newfoundland and Victoria, Greece, Guatemala, the Republic of Hayti, Italy and her colonies, Mexico, the Netherlands and their colonies, Nicaragua, Paraguay, Peru, Portugal and her colonies, Roumania, Russia, Salvador, the Kingdom of Siam, Spain and her colonies, Switzerland, Turkey, the United States of America, Uruguay and Venezuela.

The undersigned, being duly authorized, have concluded the following convention, subject to the approval of their Governments:

ARTICLE I. An association under the title of "International Union for the publication of Customs Tariffs" shall be formed by the countries above enumerated, and by all such as may hereafter adhere to the present convention.

ART. 2. The object of the Union is to publish, at the common expense, and to make known, as speedily and accurately as possible, the customs tariffs of the various States of the globe and the modifications that may, in future, be made in those tariffs.

ART. 3. To this end, an International Bureau shall be organized at Brussels, whose duty it shall be to cause these tariffs, together with

positions législatives ou administratives qui y apporteront des modifications.

ART. 4. Cette publication se fera dans un recueil intitulé: "Bulletin international des douanes (*Organe de l'Union internationale pour la publication des Tarifs douaniers*).". On adoptera à cet effet les langues commerciales les plus usitées.

ART. 5. Le personnel du Bureau international sera nommé par les soins du Ministère des Affaires Étrangères de Belgique, qui fera les avances de fonds nécessaires et veillera à la marche régulière de l'Institution.

ART. 6. Dans la correspondance adressée par le Bureau international aux Gouvernements adhérents on fera usage de la langue française.

ART. 7. Un rapport sur les travaux et la gestion financière du Bureau international sera adressé chaque année aux Gouvernements adhérents.

ART. 8. Le budget annuel des dépenses du Bureau international est fixé au chiffre maximum de 125,000 francs.

En outre, un capital de 50,000 francs sera mis, la première année, à la disposition du Ministre des Affaires Étrangères de Belgique pour les frais d'installation du Bureau.

Les États et Colonies qui useraient ultérieurement de la faculté d'adhésion prévue à l'article 14 auront à payer leur quote-part de cette somme de 50,000 francs, sur la base de répartition fixée par l'article 9.

such legislative or executive provisions as may introduce modifications therein, to be translated and published.

ART. 4. This publication shall be made in a collection entitled: "International Customs Bulletin (organ of the International Union for the publication of Customs Tariffs)."

The Commercial languages most in use shall be adopted for this purpose.

ART. 5. The persons composing the International Bureau shall be appointed through the agency of the Ministry of Foreign Affairs of Belgium, which shall advance the necessary funds and see that the institution is properly managed.

ART. 6. In communications addressed by the International Bureau to the adhering Governments, the French language shall be used.

ART. 7. A report concerning the labors and the financial condition of the International Bureau shall be annually addressed to the adhering Governments.

ART. 8. The annual budget of the expenditures of the International Bureau shall be fixed at the maximum of 125,000 francs.

The sum of 50,000 francs shall be placed, the first year, at the disposal of the Minister of Foreign Affairs of Belgium, to enable him to meet the expenses of the organization of the Bureau.

Such States and colonies as may hereafter avail themselves of the privilege of adhering, for which provision is made in article 14, shall pay their quotas of the said sum of 50,000 francs, on the basis of apportionment fixed in article 9.

Les États et Colonies qui se retireraient de l'Union à l'expiration du premier terme de sept années perdront leur droit de copropriété dans le fonds commun.

En cas de liquidation, le fonds commun sera partagé entre les États et Colonies de l'Union, d'après la base de répartition fixée par l'article 9.

ART. 9. En vue de déterminer équitablement la part contributive des États contractants, ceux-ci sont répartis, à raison de l'importance de leur commerce respectif, en six classes intervenant chacune dans la proportion d'un certain nombre d'unités, savoir :

1<sup>re</sup> classe. Pays dont le commerce se monte régulièrement à plus de 4 milliards de francs : 55 unités.

2<sup>e</sup> classe. Pays dont le commerce se monte régulièrement de 2 à 4 milliards de francs : 40 unités.

3<sup>e</sup> classe. Pays dont le commerce se monte régulièrement de 500 millions à 2 milliards de francs : 25 unités.

4<sup>e</sup> classe. Pays dont le commerce se monte régulièrement de 100 à 500 millions de francs : 20 unités.

5<sup>e</sup> classe. Pays dont le commerce se monte régulièrement de 50 à 100 millions de francs : 15 unités.

6<sup>e</sup> classe. Pays dont le commerce est régulièrement inférieur à 50 millions de francs : 5 unités.

ART. 10. Pour les pays dont la langue ne sera pas employée par le Bureau international, les chiffres ci-dessus seront respectivement dimin-

States and colonies withdrawing from the Union at the expiration of the first term of seven years shall forfeit their rights as joint owners of the common fund.

In case of a liquidation, the common fund shall be divided among the States and colonies forming the Union on the basis of apportionment fixed by article 9.

ART. 9. With a view to the equitable adjustment of the quotas of the contracting States, those States shall be divided, according to the amount of their commerce, into six classes, the quota payable by each of which shall be in the proportion of a certain number of units, to wit :

1st class. Countries whose commerce regularly amounts to upwards of four thousand millions of francs : 55 units.

2nd class. Countries whose commerce regularly amounts to from two to four thousand millions of francs : 40 units.

3d class. Countries whose commerce regularly amounts to from five hundred millions to two thousand millions of francs : 25 units.

4th class. Countries whose commerce regularly amounts to from one hundred to five hundred millions of francs : 20 units.

5th class. Countries whose commerce regularly amounts to from fifty to one hundred millions of francs : 15 units.

6th class. Countries whose commerce regularly amounts to less than 50 millions of francs : 5 units.

ART. 10. In the case of countries whose language is not used by the International Bureau, the above figures shall be reduced two-fifths, re-

ués des deux cinquièmes. Ils seront donc réduits:

Pour la 1<sup>re</sup> classe à 33 unités.

“ “ 2<sup>e</sup> “ à 24 “

“ “ 3<sup>e</sup> “ à 15 “

“ “ 4<sup>e</sup> “ à 12 “

“ “ 5<sup>e</sup> “ à 9 “

“ “ 6<sup>e</sup> “ à 3 “

ART. 11. Le total de la dépense annuelle, divisé par la somme des unités attribuées aux différents États contractants, en exécution des dispositions qui précèdent, donnera l'unité de dépense. Il suffira de multiplier celle-ci par le nombre d'unités assigné à chacun de ces États pour connaître le montant de sa contribution dans les frais du Bureau international.

ART. 12. A l'effet de mettre l'Institution à même de rédiger le *Bulletin international des douanes* aussi exactement que possible, les Parties contractantes lui enverront, directement et sans retard, deux exemplaires:

(a) de leur loi douanière et de leur tarif douanier, mis soigneusement à jour;

(b) de toutes les dispositions qui y apporteront dans la suite des modifications;

(c) des circulaires et instructions que lesdits Gouvernements adresseront à leurs bureaux de douane concernant l'application du tarif ou la classification des marchandises, et qui peuvent être rendues publiques;

(d) de leurs traités de commerce, conventions internationales et lois

spectively. The following reductions shall therefore be made:

The quota of the first class shall be reduced to 33 units.

The quota of the second class shall be reduced to 24 units.

The quota of the third class shall be reduced to 15 units.

The quota of the fourth class shall be reduced to 12 units.

The quota of the fifth class shall be reduced to 9 units.

The quota of the sixth class shall be reduced to 3 units.

ART. 11. The sum total of the annual expenditure, divided by the sum of the units assigned to the various contracting States, in pursuance of the foregoing provisions, shall give the unit of expenditure. This unit, multiplied by the number of units assigned to each of these States, shall show the amount of the quota payable by it for the support of the International Bureau.

ART. 12. In order to enable the Institution to edit the International Customs Bulletin as accurately as possible, the contracting parties shall send it, directly and without delay, two copies:

(a) of their customs law and their customs tariff, carefully brought up to date.

(b) of all provisions that shall ultimately modify said law and tariff.

(c) of the circulars and instructions that shall be addressed by the said Governments to their custom-houses concerning the application of the tariff or the classification of goods, and that can be made public.

(d) of their treaties of commerce, international conventions and do-

intérieures qui ont un rapport direct avec les tarifs douaniers en vigueur.

ART. 13. Un règlement d'exécution ayant la même force obligatoire que la présente convention déterminera le mode de publication du *Bulletin de l'Union* et tout ce qui est relatif au budget du Bureau international et à l'organisation intérieure du service.

ART. 14. Les États et Colonies qui n'ont point pris part à la présente convention seront admis à y accéder ultérieurement.

L'accession sera notifiée par écrit au Gouvernement belge qui la fera connaître à tous les autres Gouvernements contractants. L'accession emportera de plein droit adhésion à toutes les clauses et admission à tous les avantages stipulés dans la présente convention.

ART. 15. La présente Convention sera mise à exécution le 1<sup>er</sup> avril 1891 et elle restera en vigueur pendant sept ans.

Si, douze mois avant l'expiration des sept premières années, la présente convention n'a pas été dénoncée, l'*Union* subsistera pendant un nouveau terme de sept années et ainsi de suite, de sept en sept ans.

La dénonciation sera adressée au Gouvernement belge. Elle n'aura d'effet qu'à l'égard du pays qui l'aura faite, la convention restant exécutoire pour les autres pays de l'*Union*.

Les Gouvernements pourront introduire dans la présente convention, de

mestic laws having a direct bearing upon the existing tariffs.

ART. 13. A set of regulations providing for the execution of this convention, having the same force as the convention itself, shall determine the manner of publication of the Bulletin of the Union in everything relating to the budget of the International Bureau and to the internal organization of the service.

ART. 14. The States and colonies that have not yet taken part in this convention shall have the privilege of acceding thereto hereafter.

Notice of accession shall be given, in writing, to the Belgian Government, which shall, in turn, communicate such notice to all the other contracting Governments. Accession shall imply adhesion to all the clauses contained in, and the enjoyment of all advantages provided for, by this convention.

ART. 15. This convention shall go into operation on the first day of April, 1891, and shall remain in force for seven years.

If, twelve months before the expiration of the first seven years, no notice of a desire for the cessation of the effects of this convention shall have been given, the Union shall continue to exist for seven years longer, and so on, in periods of seven years each.

Notice of a desire for the cessation of the effects of this convention shall be addressed to the Belgian Government. Such notice shall have no effect save as regards the country giving it, and the convention shall remain in force so far as the other countries of the Union are concerned.

The Governments shall at all times be at liberty to make in this conven-

commun accord et en tout temps, les améliorations qui seraient jugées utiles ou nécessaires.

En foi de quoi, les soussignés ont signé la présente convention et y ont apposé leur cachet.

Fait à Bruxelles, le 5 Juillet mil huit cent quatre vingt dix.

Pour la République Argentine,

[SEAL.] CARLOS CALVO Y CAPDEVILA.

Pour l'Autriche-Hongrie,

[SEAL.] EPERJESY.

Pour la Belgique,

[SEAL.] LAMBERMONT.

[SEAL.] LEON BIEBUYCK.

[SEAL.] KEBERS.

Pour la Bolivie,

[SEAL.] JOAQUIN CASO.

Pour le Chili,

[SEAL.] N. PEÑA VICUÑA.

Pour l'État Indépendant du Congo,

[SEAL.] EDM. VAN EETVELDE.

Pour la République de Costa-Rica,

[SEAL.] MANUEL M. DE PERALTA.

Pour le Danemark et ses Colonies,

[SEAL.] SCHACK DE BROCKDORFF.

Pour l'Espagne et ses Colonies,

[SEAL.] J. G. de AGÜERA.

Pour les États-Unis d'Amérique,

[SEAL.] EDWIN H. TERRELL—*ad referendum*.

Pour la France et ses Colonies,

[SEAL.] A. BOURÉE.

Pour la Grande-Bretagne et diverse Colonies anglaises,

[SEAL.] MARTIN GOSSELIN,

[SEAL.] A. E. BATEMAN.

Pour l'Inde Britannique,

[SEAL.] MARTIN GOSSELIN,

[SEAL.] A. E. BATEMAN.

Pour le Dominion du Canada,

[SEAL.] CHARLES TUPPER.

Pour l'Australie de l'Ouest,

tion, by mutual agreement, such improvements as may be deemed expedient or necessary.

In testimony whereof, the undersigned have signed this convention, and have thereunto affixed their seals.

Done at Brussels, July the fifth, one thousand eight hundred and ninety.

For the Argentine Republic,

CARLOS CALVO Y CAPDEVILA.

For Austria-Hungary,

EPERJESY.

For Belgium,

LAMBERMONT,

LEON BIEBUYCK,

KEBERS.

For Bolivia,

JOAQUIN CASO.

For Chili,

N. PEÑA VICUÑA.

For the Independent State of the Congo,

EDM. VAN EETVELDE.

For the Republic of Costa Rica,

MANUEL M. DE PERALTA.

For Denmark and her Colonies,

SCHACK DE BROCKDORFF.

For Spain and her Colonies,

J. G. DE AGÜERA.

For the United States of America,

EDWIN H. TERRELL—*ad referendum*.

For France and her Colonies,

A. BOURÉE.

For Great Britain and sundry British Colonies,

MARTIN GOSSELIN,

A. E. BATEMAN.

For British India,

MARTIN GOSSELIN,

A. E. BATEMAN.

For the Dominion of Canada,

CHARLES TUPPER.

For West Australia,

Pour le Cap de Bonne-Espérance,	For the Cape of Good Hope,
[SEAL.] MARTIN GOSSELIN,	MARTIN GOSSELIN,
[SEAL.] A. E. BATEMAN.	A. E. BATEMAN.
Pour Natal,	For Natal,
[SEAL.] MARTIN GOSSELIN,	MARTIN GOSSELIN,
[SEAL.] A. E. BATEMAN.	A. E. BATEMAN.
Pour la Nouvelle-Galles du Sud,	For New South Wales,
[SEAL.] SAUL SAMUEL.	SAUL SAMUEL.
Pour la Nouvelle-Zélande,	For New Zealand,
[SEAL.] FRANCIS DILLON BELL.	FRANCIS DILLON BELL.
Pour le Queensland,	For Queensland,
<hr/>	
Pour la Tasmanie,	For Tasmania,
[SEAL.] MARTIN GOSSELIN,	MARTIN GOSSELIN,
[SEAL.] A. E. BATEMAN.	A. E. BATEMAN.
Pour Terre-Neuve,	For Newfoundland,
[SEAL.] MARTIN GOSSELIN,	MARTIN GOSSELIN,
[SEAL.] A. E. BATEMAN.	A. E. BATEMAN.
Pour Victoria,	For Victoria,
[SEAL.] GRAHAM BERRY.	GRAHAM BERRY.
Pour la Grèce,	For Greece,
[SEAL.] P. MULLE.	P. MULLE.
Pour le Guatémala,	For Guatemala,
[SEAL.] ALEXIS CAPOUILLET.	ALEXIS CAPOUILLET.
Pour la République de Haïti,	For the Republic of Hayti,
[SEAL.] G. DE DEKEN.	G. DE DEKEN.
Pour l'Italie et ses Colonies,	For Italy and her Colonies,
[SEAL.] J. DE RENZIS.	J. DE RENZIS.
Pour le Mexique,	For Mexico,
[SEAL.] EDM. VAN DEN WYNGAERT.	EDM. VAN DEN WYNGAERT.
Pour le Nicaragua,	For Nicaragua,
[SEAL.] J. F. MEDINA.	J. F. MEDINA.
Pour le Paraguay,	For Paraguay,
[SEAL.] HENRI OOSTENDORP.	HENRI OOSTENDORP.
Pour les Pays-Bas et leurs Colonies,	For the Netherlands and their Colo-
	nies,
[SEAL.] H. TESTA.	H. TESTA,
[SEAL.] L. E. UYTENHOVEN.	L. E. UYTENHOVEN.
Pour le Pérou,	For Peru,
[SEAL.] JOAQUIN LEMOINE.	JOAQUIN LEMOINE.
Pour le Portugal et ses Colonies,	For Portugal and her Colonies,
[SEAL.] HENRIQUE DE MACEDO	HENRIQUE DE MACEDO
PEREIRA CONTINHO.	PEREIRA CONTINHO,
[SEAL.] AUGUSTO CESAR FERREIRA	AUGUSTO CESAR FERREIRA
DE MESQUITA.	DE MESQUITA.



Pour la Roumanie,  
 [SEAL.] J. VACARESCO.  
 Pour la Russie,  
 [SEAL.] G. KAMENSKY.  
 Pour le Salvador,  
 [SEAL.] EMILE ELOY.  
 Pour le Siam,  
 [SEAL.] FREDERICK VERNEY.  
 Pour la Suisse,  
 [SEAL.] E. PACCAUD.  
 Pour la Turquie,  
 [SEAL.] ET. CARATHÉODORY.  
 Pour l'Uruguay,  
 [SEAL.] FCO. SUSVIELA GUARCH.  
 Pour le Venezuela,  
 [SEAL.] LUIS LOPEZ MENDEZ.

For Roumania,  
 J. VACARESCO.  
 For Russia,  
 G. KAMENSKY.  
 For Salvador,  
 EMILE ELOY.  
 For Siam,  
 FREDERICK VERNEY.  
 For Switzerland,  
 E. PACCAUD.  
 For Turkey,  
 ET. CARATHÉODORY.  
 For Uruguay,  
 FCO. SUSVIELA GUARCH.  
 For Venezuela,  
 LUIS LOPEZ MENDEZ.

*Règlement d'Exécution de la Convention instituant un Bureau international pour la publication des Tarifs Douaniers.*

(Article 13 de la Convention)

ARTICLE 1<sup>er</sup>. Le *Bulletin international des douanes* sera publié en cinq langues, savoir: en Allemand, en Anglais, en Espagnol, en Français et en Italien.

ART. 2. Chaque État faisant partie de l'Union a la faculté de faire traduire et de publier à ses frais tout ou partie du *Bulletin* dans telle langue qu'il trouve utile, pourvu que ce ne soit pas l'une des langues adoptées par le Bureau international.

Chacun des États de l'Union aura de même le droit de faire reproduire de simples extraits de tarifs ou, exceptionnellement, des parties du *Bulletin*, soit dans un organe officiel

*Regulations for the execution of the Convention creating an International Bureau for the publication of Customs Tariffs.*

(Art. 13 of the Convention.)

ARTICLE 1. The international Customs Bulletin shall be published in five languages, viz: German, English, Spanish, French and Italian.

ARTICLE 2. Each State belonging to the Union shall have the privilege of causing to be translated and publishing at its own expense, the whole or any part of the Bulletin in any language that it may see fit, provided that such language be not one of those adopted by the International Bureau.

Each of the States of the Union shall likewise have the right to reproduce mere extracts from tariffs, or, by way of exception, portions of the Bulletin, either in a local official

local, soit dans ses documents parlementaires.

Il est entendu d'ailleurs que chaque État reste libre comme par le passé de publier dans la langue originale ou en traduction tous les tarifs douaniers, pourvu que le texte publié ne soit pas l'œuvre même du Bureau international.

ART. 3. Le Bureau international s'engage à apporter les plus grands soins dans la traduction des lois de douane et des publications officielles interprétatives de ces lois, mais il est entendu que les Gouvernements intéressés n'assument pas de responsabilité quant à l'exactitude de ces traductions et qu'en cas de contestation le texte original sera leur seul guide.

Un avertissement dans ce sens sera imprimé en note et en caractères gras au bas de la première page de chaque livraison.

ART. 4. Le format du *Bulletin* sera déterminé par le Bureau.

ART. 5. Chaque Gouvernement fera connaître en quelle langue, parmi celles adoptées par le Bureau international, il désire recevoir les exemplaires du *Bulletin* qui représenteront sa part d'intervention dans les frais de l'institution.

Un Gouvernement pourra prendre un certain nombre d'exemplaires en une langue et le restant en d'autres langues.

ART. 6. Le Bureau international ne peut fournir d'abonnements qu'aux Gouvernements des pays faisant partie de l'Union.

ART. 7. Le montant de la contribution proportionnelle de chaque État lui est rendu en abonnements au *Bulletin de l'Union*, calculés au pris de 15 francs chacun.

organ or in its parliamentary documents.

It is understood moreover, that each State is to be at liberty, as has hitherto been the case, to publish all the tariffs in the original language or in a translation, provided that the text published be not the work of the International Bureau.

ARTICLE 3. The International Bureau pledges itself to take the utmost care in the translation of the customs laws and of the official publications that serve to interpret said laws, but it is understood that the Governments interested assume no responsibility with regard to the accuracy of these translations, and that, in case of dispute, the original text shall be their sole guide.

A notice to this effect shall be printed in large type at the foot of the first page of each number.

ARTICLE 4. The size of the Bulletin shall be determined by the Bureau.

ARTICLE 5. Each Government shall make known in which of the languages adopted by the International Bureau it desires to receive the copies of the Bulletin which are to be furnished to it in return for the amount payable by it for the support of the institution.

Any Government may take a certain number of copies in one language, and the remainder in other languages.

ARTICLE 6. The International Bureau can supply the Bulletin to no Governments save those belonging to the Union.

ARTICLE 7. The amount of the quota payable by each State shall be returned to it in subscriptions to the Bulletin of the Union, computed at the rate of 15 francs each.

ART. 8. Les dépenses sont calculées approximativement comme suit :

	Francs.
(a) Traitement des fonctionnaires et employés du Bureau international, y compris un supplément de traitement de 15%.....	75,000
(b) Frais d'impression et d'envoi du <i>Bulletin de l'Union</i> .....	30,000
(c) Location et entretien du local affecté au Bureau international, chauffage, éclairage, fournitures, frais de bureau, etc.....	20,000
Total.....	125,000

ART. 9. Le Ministre des Affaires Étrangères de Belgique est chargé de prendre les mesures nécessaires pour l'organisation et le fonctionnement du Bureau international, en restant dans les limites tracées par la Convention et par le présent Règlement.

ART. 10. Le chef du Bureau international est autorisé, sous l'approbation du Ministre des Affaires Étrangères de Belgique, à reporter sur l'exercice en cours les sommes non employées de l'exercice écoulé. Ces sommes serviront, le cas échéant, à constituer un fonds de réserve destiné à parer aux dépenses imprévues. Ladite réserve ne pourra, en aucun cas, dépasser 25,000 francs. Le surplus permettra éventuellement d'abaisser le prix de l'abonnement au *Bulletin*, sans accroissement du nombre d'exemplaires garanti par les États contractants; cet excédent pourra servir aussi à couvrir les frais qu'occasionnerait l'adjonction d'une nouvelle langue de traduction à celles énumérées à l'article 1<sup>er</sup>.

Cette dernière mesure ne pourra se réaliser qu'avec l'assentiment unanime des États et Colonies faisant partie de l'*Union*.

ARTICLE 8. The expenditures are computed approximately as follows :

	Francs.
(a) Salaries of the officers and employés of the International Bureau, including an addition thereto of 15 per cent.....	75,000
(b) Cost of printing and sending the Bulletin of the Union.....	30,000
(c) Rent and keeping in order of the building occupied by the International Bureau, fuel, light, material, office expenses, etc.....	20,000
Total.....	125,000

ARTICLE 9. It shall be the duty of the Minister of Foreign Affairs of Belgium to take such measures as may be necessary for the organization of the International Bureau, and for putting it in working order, keeping within the limits fixed by the Convention and by these regulations.

ARTICLE 10. The Superintendent of the International Bureau is hereby authorized, subject to the approval of the Minister of Foreign Affairs of Belgium, to use, during the current fiscal year, such sums, appropriated for the past year, as may not have been then used. These sums shall, the case arising, go to form a reserve fund for the payment of contingent expenses. The said reserve shall in no case exceed 25,000 francs. The surplus will, perhaps, render it possible to reduce the price of subscription to the Bulletin, without increasing the number of copies guaranteed by the contracting States; this surplus may also serve to meet the expense that would be occasioned by the addition of a new language to those enumerated in article 1.

This last measure shall not be carried out without the unanimous consent of the States and Colonies belonging to the Union.

Fait à Bruxelles, le 5 Juillet mil huit cent quatre vingt dix, pour être annexé à la Convention en date de ce jour.

Pour la République Argentine,  
CARLOS CALVO Y CAPDEVILA.

Pour l'Autriche-Hongrie,  
EPERJESY.

Pour la Belgique,  
LAMBERMONT,  
LÉON BIEBUYCK,  
KEBERS.

Pour la Bolivie,  
JOAQUIN CASO.

Pour le Chili,  
N. PEÑA VICUÑA.

Pour l'État Indépendant du Congo,

EDM. VAN EETVELDE.

Pour la République de Costa-Rica,  
MANUEL M. DE PERALTA.

Pour le Danemark et ses Colonies,  
SCHACK DE BROCKDORFF.

Pour l'Espagne et ses Colonies,  
J. G. DE AGÜERA.

Pour les États-Unis d'Amérique,  
EDWIN H. TERRELL—  
*ad referendum.*

Pour la France et ses Colonies,  
A. BOURÉE.

Pour la Grande-Bretagne et diverses Colonies anglaises,

MARTIN GOSSELIN,  
A. E. BATEMAN.

Pour l'Inde Britannique,  
MARTIN GOSSELIN,  
A. E. BATEMAN.

Pour le Dominion du Canada,  
CHARLES TUPPER.

Pour l'Australie de l'Ouest,

---

Pour le Cap de Bonne-Espérance,  
MARTIN GOSSELIN,  
A. E. BATEMAN.

Done at Brussels, July the 5th, one thousand eight hundred and ninety, to be appended to the Convention of this day's date.

For the Argentine Republic,  
CARLOS CALVO Y CAPDEVILA.

For Austria-Hungary,  
EPERJESY.

For Belgium,  
LAMBERMONT,  
LÉON BIEBUYCK,  
KEBERS.

For Bolivia,  
JOAQUIN CASO.

For Chili,  
N. PEÑA VICUÑA.

For the Independent State of the Congo,

EDM. VAN EETVELDE.

For the Republic of Costa Rica,  
MANUEL M. DE PERALTA.

For Denmark and her Colonies,  
SCHACK DE BROCKDORFF.

For Spain and her Colonies,  
J. G. DE AGÜERA.

For the United States of America,  
EDWIN H. TERRELL—  
*ad referendum.*

For France and her Colonies,  
A. BOURÉE.

For Great Britain and sundry British Colonies,

MARTIN GOSSELIN,  
A. E. BATEMAN.

For British India,  
MARTIN GOSSELIN,  
A. E. BATEMAN.

For the Dominion of Canada,  
CHARLES TUPPER.

For West Australia,

---

For the Cape of Good Hope,  
MARTIN GOSSELIN,  
A. E. BATEMAN.

Pour Natal,	For Natal,
MARTIN GOSSELIN,	MARTIN GOSSELIN,
A. E. BATEMAN.	A. E. BATEMAN.
Pour Terre-Neuve,	For Newfoundland,
MARTIN GOSSELIN,	MARTIN GOSSELIN,
A. E. BATEMAN.	A. E. BATEMAN.
Pour la Nouvelle-Galles du Sud,	For New South Wales,
SAUL SAMUEL.	SAUL SAMUEL.
Pour la Nouvelle-Zélande,	For New Zealand,
FRANCIS DILLON BELL.	FRANCIS DILLON BELL.
Pour le Queensland,	For Queensland,
<hr/>	<hr/>
Pour la Tasmanie,	For Tasmania,
MARTIN GOSSELIN,	MARTIN GOSSELIN,
A. E. BATEMAN.	A. E. BATEMAN.
Pour Terre-Neuve,	For Newfoundland,
MARTIN GOSSELIN,	MARTIN GOSSELIN,
A. E. BATEMAN.	A. E. BATEMAN.
Pour Victoria,	For Victoria,
GRAHAM BERRY.	GRAHAM BERRY.
Pour la Grèce,	For Greece,
P. MULLE.	P. MULLE.
Pour le Guatémala,	For Guatemala,
ALEXIS CAPOUILLET.	ALEXIS CAPOUILLET.
Pour la République de Haïti,	For the Republic of Hayti,
G. DE DEKEN.	G. DE DEKEN.
Pour l'Italie et ses Colonies,	For Italy and her Colonies,
J. DE RENZIS,	J. DE RENZIS.
Pour le Mexique,	For Mexico,
EDM. VANDENWYNGAERT.	EDM. VANDENWYNGAERT.
Pour le Nicaragua,	For Nicaragua,
J. F. MEDINA.	J. F. MEDINA.
Pour le Paraguay,	For Paraguay,
HENRI OOSTENDORP.	HENRI OOSTENDORP.
Pour les Pays-Bas et leurs Colonies,	For the Netherlands and their Colonies,
H. TESTA,	H. TESTA,
L. E. UYTENHOVEN.	L. E. UYTENHOVEN.
Pour le Pérou,	For Peru,
JOAQUIN LEMOINE,	JOAQUIN LEMÔINE.
Pour le Portugal et ses Colonies,	For Portugal and her Colonies,
HENRIQUE DE MACEDO PE-	HENRIQUE DE MACEDO PE-
REIRA CONTINHO.	REIRA CONTINHO.
AUGUSTO CESAR FERREIRA	AUGUSTO CESAR FERREIRA
DE MESQUITA.	DE MESQUITA.

Pour la Roumanie,  
J. VACARESCO.  
Pour la Russie,  
G. KAMENSKY.  
Pour le Salvador,  
EMILE ELOY.  
Pour le Siam,  
FREDERICK VERNEY.  
Pour la Suisse,  
E. PACCAUD.  
Pour la Turquie,  
ET. CARATHÉODORY.  
Pour l'Uruguay,  
FCO. SUSVIELA GUARCH.  
Pour le Venezuela,  
LUIS LOPEZ MENDEZ.

## PROCÈS-VERBAL DE SIGNATURES.

Les délégués soussignés, réunis ce Jour à l'effet de procéder à la signature de la Convention et du Règlement concernant l'institution d'une Union internationale pour la publication des tarifs douaniers, ont échangé les déclarations suivantes :

1<sup>o</sup> En ce qui concerne la classification des pays de l'Union au point de vue de leur part contributive aux frais du Bureau international (arts. 9, 10 et 11 de la Convention) :

Les délégués déclarent que, pour toute la durée de la Convention, les pays adhérents seront rangés dans les classes suivantes et auront à intervenir respectivement dans la proportion du nombre d'unités indiqué ci-après.

PREMIÈRE CLASSE.	Unités.
Angleterre et ses colonies non spécialement dénommées ci-après.....	55
Belgique.....	55
États-Unis d'Amerique.....	55
France et ses colonies.....	55
Pays-Bas et leurs colonies.....	33
Russie.....	33

For Roumania,  
J. VACARESCO.  
For Russia,  
G. KAMENSKY.  
For Salvador,  
EMILE ELOY.  
For Siam,  
FREDERICK VERNEY.  
For Switzerland,  
E. PACCAUD.  
For Turkey,  
ET. CARATHÉODORY.  
For Uruguay,  
FCO. SUSVIELA GUARCH.  
For Venezuela,  
LUIS LOPEZ MENDEZ.

## FINAL DECLARATIONS.

The undersigned delegates, having met this day for the purpose of signing the Convention and regulations providing for the formation of an International Union for the publication of customs tariffs, have exchanged the following declarations :

1. As regards the classification of the countries of the Union according to the quotas payable by them for the support of the International Bureau (arts. 9, 10, and 11 of the Convention) :

The delegates declare that, so long as the Convention shall remain in force, the adhering countries shall be classified as follows, and that the quotas payable by them shall be in proportion to the number of units stated below.

FIRST CLASS.	Units.
England and her Colonies not specially hereinafter mentioned.....	55
Belgium.....	55
France and her Colonies.....	55
Netherlands and her Colonies.....	33
Russia.....	33
United States of America .....	55

## DEUXIÈME CLASSE.

Autriche-Hongrie .....	24
Espagne et ses colonies .....	40
Inde Britannique.....	40
Italie et ses colonies.....	40

## TROISIÈME CLASSE.

Argentine (République).....	25
Brésil.....	15
Canada .....	25
Danemark et ses colonies.....	15
Nouvelle-Galles du Sud .....	25
Portugal et ses colonies.....	15
Suisse .....	25
Turquie .....	15
Victoria.....	25

## QUATRIÈME CLASSE.

Cap de Bonne-Espérance.....	20
Chili.....	20
Colombie .....	20
Égypte.....	12
Equateur.....	20
Grèce.....	12
Japon.....	12
Mexique .....	20
Nouvelle-Zélande.....	20
Perse.....	12
Queensland.....	20
Roumanie.....	12
Uruguay.....	20
Venezuela.....	20

## CINQUIÈME CLASSE.

Bolivie.....	15
Costa-Rica .....	15
Guatemala.....	15
Haïti.....	15
Natal .....	15
Pérou.....	15
Serbie .....	9
Siam .....	9
Sud-Africaine (République).....	9

## SIXIÈME CLASSE.

Australie de l'Ouest.....	5
Dominicaine (République).....	5
État Indépendant du Congo.....	3
Honduras (République).....	5
Nicaragua.....	5
Paraguay .....	5
Salvador .....	5
Tasmanie .....	5
Terre-Neuve .....	5

## SECOND CLASS.

Austria-Hungary .....	24
British India.....	40
Italy and her Colonies.....	40
Spain and her Colonies.....	40

## THIRD CLASS.

Argentine Republic.....	25
Brazil.....	15
Canada .....	25
Denmark and her Colonies.....	15
New South Wales.....	25
Portugal and her Colonies.....	15
Switzerland.....	25
Turkey .....	15
Victoria.....	25

## FOURTH CLASS.

Cape of Good Hope.....	20
Chili.....	20
Colombia.....	20
Ecuador.....	20
Egypt .....	12
Greece.....	12
Japan.....	12
Mexico .....	20
New Zealand.....	20
Persia.....	12
Queensland.....	20
Roumania.....	12
Uruguay .....	20
Venezuela.....	20

## FIFTH CLASS.

Bolivia.....	15
Costa Rica.....	15
Guatemala.....	15
Hayti.....	15
Natal .....	15
Peru.....	15
Servia.....	9
Siam.....	9
South African Republic.....	9

## SIXTH CLASS.

Australia (West).....	5
Dominican Republic.....	5
Honduras (Republic).....	5
Independent State of Congo.....	3
Newfoundland.....	5
Nicaragua.....	5
Paraguay.....	5
Salvador.....	5
Tasmania .....	5

Quant aux chiffres des cotisations qui ont figuré dans le tableau de répartition des frais, arrêté le 26 février 1890, ils sont reproduits ci-après à titre de renseignement, la contribution de chaque État ne pouvant être déterminée d'une façon absolument précise que lorsque toutes les adhésions seront devenues définitives. Il est entendu toutefois qu'en aucun cas ces chiffres ne pourront subir de majoration pendant la durée de la Convention.

As to the amounts of the quotas that have appeared in the table of apportionment, they are reproduced below by way of information, as the contribution of each State can not be determined with absolute precision until all the adhesions shall have become definitive. It is nevertheless, understood that these figures shall in no case be increased while this convention remains in force.

	Somme à payer.	Contre-valeur en abonnements.		Amount payable.	Number of subscriptions.
PREMIÈRE CLASSE.			FIRST CLASS.		
Angleterre et ses colonies non spécialement dénommées ci-après.....	6833	456	England and her Colonies not specially hereinafter mentioned.....	6833	\$456
Belgique.....	6833	456	Belgium.....	6833	456
États-Unis d'Amérique.....	6833	456	France and her Colonies.....	6833	456
France et ses colonies.....	6833	456	Netherlands and their Colonies.....	4200	274
Pays-Bas et leurs colonies.....	4100	274	Russia.....	4100	274
Russie.....	4100	274	United States of America.....	6833	456
DEUXIÈME CLASSE.			SECOND CLASS.		
Autriche-Hongrie.....	2982	199	Austria-Hungary.....	2982	199
Espagne et ses colonies.....	4970	332	British India.....	4970	332
Inde Britannique.....	4970	332	Italy and her Colonies.....	4970	332
Italie et ses colonies.....	4970	332	Spain and her Colonies.....	4970	332
TROISIÈME CLASSE.			THIRD CLASS.		
Argentine (République).....	3106	207	Argentine Republic.....	3106	207
Bésil.....	1863	124	Brazil.....	1863	124
Canada.....	3106	207	Canada.....	3106	207
Danemark et ses colonies.....	1863	124	Denmark and her Colonies.....	1863	124
Nouvelle-Galles du Sud.....	3106	207	New South Wales.....	3106	207
Portugal et ses colonies.....	1863	124	Portugal and her Colonies.....	1863	124
Suisse.....	3106	207	Switzerland.....	3106	207
Turquie.....	1863	124	Turkey.....	1863	124
Victoria.....	3106	207	Victoria.....	3106	207
QUATRIÈME CLASSE.			FOURTH CLASS.		
Cap de Bonne-Espérance.....	2485	166	Cape of Good Hope.....	2485	166
Chili.....	2485	166	Chili.....	2485	166
Colombie.....	2485	166	Colombia.....	2485	166
Égypte.....	1491	100	Ecuador.....	2485	166
Équateur.....	2485	166	Egypt.....	1491	100
Grèce.....	1491	100	Greece.....	1491	100
Japon.....	1491	100	Japan.....	1491	100
Mexique.....	2485	166	Mexico.....	2485	166
Nouvelle-Zélande.....	2485	166	New Zealand.....	2485	166
Perse.....	1491	100	Persia.....	1491	100
Queensland.....	2485	166	Queensland.....	2485	166
Roumanie.....	1491	100	Roumania.....	1491	100
Uruguay.....	2485	166	Uruguay.....	2485	166
Venezuela.....	2485	166	Venezuela.....	2485	166



	Somme à payer.	Contre-valeur en abonnements.		Amount payable.	Number of subscriptions.
CINQUIÈME CLASSE.			FIFTH CLASS.		
Bolivie.....	1863	124	Bolivia.....	1863	124
Costa-Rica .....	1863	124	Costa Rica.....	1863	124
Guatemala .....	1863	124	Guatemala.....	1863	124
Haiti.....	1863	124	Hayti.....	1863	124
Natal.....	1863	124	Natal.....	1863	124
Pérou .....	1863	124	Peru.....	1863	124
Serbie.....	1118	75	Servia.....	1118	75
Siam.....	1118	75	Siam.....	1118	75
Sud-Africaine (République).....	1118	75	South African Republic.....	1118	75
SIXIÈME CLASSE.			SIXTH CLASS.		
Australie de l'Ouest.....	621	42	Australia (West).....	621	42
Domoicaine (République).....	621	42	Dominican Republic.....	621	42
État Indépendant du Congo.....	372	25	Honduras (Republic).....	621	42
Honduras (République).....	621	42	Independent State of the Congo.....	372	25
Nicaragua.....	621	42	Newfoundland.....	621	42
Paraguay.....	621	42	Nicaragua.....	621	42
Salvador.....	621	42	Paraguay.....	621	42
Tasmanie.....	621	42	Salvador.....	621	42
Terre-Neuve.....	621	42	Tasmania.....	621	42

2°. En ce qui concerne le paiement des cotisations échéant aux parties contractantes :

Les délégués déclarent qu'il s'effectuera à Bruxelles dans le courant du premier trimestre de chaque exercice et en monnaies ayant cours légal en Belgique.

3°. En ce qui concerne la mise à exécution de la Convention, fixée au 1<sup>er</sup> avril 1891 :

Les délégués déclarent qu'elle sera précédée, si possible, d'une notification d'adhésion définitive de la part des Gouvernements intéressés; que, néanmoins, cette formalité n'est pas indispensable et que l'on maintiendra sur la liste des adhérents les pays signataires de la présente Convention qui, à la date du 1<sup>er</sup> avril 1891, n'auraient pas exprimé formellement l'intention de se retirer.

2. As regards the payment of the quotas of the contracting parties:

The delegates declare that it shall take place at Brussels during the first quarter of each fiscal year in coin that is a legal tender in Belgium.

3. As regards the date at which the Convention is to go into operation, which has been fixed at April 1st, 1891:

The delegates declare that it shall, if possible, be preceded by a notification of definitive adhesion on the part of the Governments interested; that this formality is, nevertheless, not indispensable, and that the countries by whose representatives this Convention has been signed shall be kept on the list of adherents unless they shall, on or before April 1st, 1891, have formally expressed the intention of withdrawing.

En foi de quoi, les délégués respectifs ont signé le présent procès-verbal.

Fait à Bruxelles, le 5 Juillet mil huit cent quatre-vingt dix.

Pour la République Argentine,

CARLOS CALVO Y CAPDEVILA.

Pour l'Autriche-Hongrie,

EPERJESY.

Pour la Belgique,

LAMBERMONT,  
LÉON BIEBUYCK,  
KEBERS.

Pour la Bolivie,

JOAQUIN CASO.

Pour le Chili,

N. PEÑA VICUÑA.

Pour l'État Indépendant du Congo,

EDM. VAN EETVELDE.

Pour la République de Costa-Rica,

MANUEL M. DE PERALTA.

Pour le Danemark et ses Colonies,

SCHACK DE BROCKDORFF.

Pour l'Espagne et ses Colonies,

J. G. DE AGÜERA.

Pour les Etats-Unis d'Amérique,

EDWIN H. TERRELL—*ad referendum*.

Pour la France et ses Colonies,

A. BOURÉE.

Pour la Grande-Bretagne et diverses Colonies anglaises,

MARTIN GOSSELIN,  
A. E. BATEMAN.

Pour l'Inde Britannique,

MARTIN GOSSELIN,  
A. E. BATEMAN.

Pour le Dominion du Canada,

CHARLES TUPPER.

Pour l'Australie de l'Ouest,

In testimony whereof, the delegates have affixed their signatures to these final declarations.

Done at Brussels, July the 5th, one thousand eight hundred and ninety.

For the Argentine Republic,

CARLOS CALVO Y CAPDEVILA.

For Austria-Hungary,

EPERJESY.

For Belgium,

LAMBERMONT,  
LEON BIEBUYCK,  
KEBERS.

For Bolivia,

JOAQUIN CASO.

For Chili,

N. PEÑA VICUÑA.

For the Independent State of the Congo,

EDM. VAN EETVELDE.

For the Republic of Costa Rica,

MANUEL M. DE PERALTA.

For Denmark and her Colonies,

SCHACK DE BROCKDORFF.

For Spain and her Colonies,

J. G. DE AGÜERA.

For the United States of America,

EDWIN H. TERRELL—*ad referendum*.

For France and her Colonies,

A. BOURÉE.

For Great Britain and sundry British Colonies,

MARTIN GOSSELIN,  
A. E. BATEMAN.

For British India,

MARTIN GOSSELIN,  
A. E. BATEMAN.

For the Dominion of Canada,

CHARLES TUPPER.

For West Australia,

For the Cape of Good Hope,

MARTIN GOSSELIN,  
A. E. BATEMAN.

Pour Natal,	For Natal,
MARTIN GOSSELIN,	MARTIN GOSSELIN,
A. E. BATEMAN.	A. E. BATEMAN.
Pour la Nouvelle-Galles du Sud,	For New South Wales,
SAUL SAMUEL.	SAUL SAMUEL.
Pour la Nouvelle-Zélande,	For New Zealand,
FRANCIS DILLON BELL.	FRANCIS DILLON BELL.
Pour le Queensland,	For Queensland,
_____.	_____.
Pour la Tasmanie,	For Tasmania,
MARTIN GOSSELIN,	MARTIN GOSSELIN,
A. E. BATEMAN.	A. E. BATEMAN.
Pour Terre-Neuve,	For Newfoundland,
MARTIN GOSSELIN,	MARTIN GOSSELIN,
A. E. BATEMAN.	A. E. BATEMAN.
Pour Victoria,	For Victoria,
GRAHAM BERRY.	GRAHAM BERRY.
Pour la Grèce,	For Greece,
P. MULLE.	P. MULLE.
Pour le Guatemala,	For Guatemala,
ALEXIS CAPOUILLET.	ALEXIS CAPOUILLET.
Pour la République de Haïti,	For the Republic of Hayti,
G. DE DEKEN.	G. DE DEKEN.
Pour l'Italie et ses Colonies,	For Italy and her Colonies,
J. DE RENZIS.	J. DE RENZIS.
Pour le Mexique,	For Mexico,
EDM. VANDENWYNGAERT.	EDM. VANDENWYNGAERT.
Pour le Nicaragua,	For Nicaragua,
J. F. MEDINA.	J. F. MEDINA.
Pour le Paraguay,	For Paraguay,
HENRI OOSTENDORF.	HENRI OOSTENDORP.
Pour les Pays-Bays et leurs Colonies,	For the Netherlands and their Colo- nies,
H. TESTA,	H. TESTA,
L. E. UYTENHOOVEN.	L. E. UYTENHOOVEN.
Pour le Pérou,	For Peru,
JOAQUIN LEMOINE.	JOAQUIN LEMOINE.
Pour le Portugal et ses Colonies,	For Portugal and her Colonies,
HENRIQUE DE MACEDO PE-	HENRIQUE DE MACEDO PE-
REIRA CONTINHO,	REIRA CONTINHO,
AUGUSTO CESAR FERREIRA	AUGUSTO CESAR FERREIRA
DE MESQUITA.	DE MESQUITA.
Pour la Roumanie,	For Roumania,
J. VACARESCO.	J. VACARESCO.
Pour la Russie,	For Russia,

Pour le Salvador,  
EMILE ELOY.

Pour le Siam,  
FREDERICK VERNEY.

Pour la Suisse,  
E. PACCAUD.

Pour la Turquie,  
ET. CARATHÉODORY.

Pour l'Uruguay,  
FCO. SUSVIELA GUARCH.

Pour le Venezuela,  
LUIS LOPEZ MENDEZ.

For Salvador,  
EMILE ELOY.

For Siam,  
FREDERICK VERNEY.

For Switzerland,  
E. PACCAUD.

For Turkey,  
ET. CARATHÉODORY.

For Uruguay,  
FCO. SUSVIELA GUARCH.

For Venezuela,  
LUIS LOPEZ MENDEZ.

And whereas the said Convention, Regulations and Final Declarations, have been duly ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof;

And whereas it is provided by Article 15 of the said Convention, that it shall go into operation on the first day of April, one thousand eight hundred and ninety-one;

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the said Convention, Regulations and Final Declarations to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be hereunto affixed.

Done at the City of Washington, this 17th day of December, in the year of our Lord one thousand eight hundred and ninety and of the Independence of the United States of America the one hundred and fifteenth.

BENJ HARRISON

By the President:

JAMES G. BLAINE  
*Secretary of State.*

## SUPPLEMENTAL CONVENTION

BETWEEN

THE UNITED STATES, BELGIUM, BRAZIL, FRANCE, GREAT  
BRITAIN, GUATEMALA, ITALY, THE NETHERLANDS, NOR-  
WAY, PORTUGAL, SPAIN, SWEDEN, SWITZERLAND, AND  
TUNIS

AMENDATORY OF THE CONVENTION OF MARCH 20, 1883, FOR  
THE PROTECTION OF INDUSTRIAL PROPERTY.

---

*Concluded at Madrid April 15, 1891.*

*Ratification advised by the Senate March 2, 1892.*

*Ratified by the President March 30, 1892.*

*Ratifications exchanged June 15, 1892.*

*Proclaimed June 22, 1892.*

---

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Whereas Protocol 3, amendatory of the Convention of March 20, 1883, for the Protection of Industrial Property was signed at Madrid, on the fifteenth day of April, one thousand, eight hundred and ninety-one by the Plenipotentiaries of the United States and other Powers, a certified copy of which Protocol 3, in the French language, is word for word as follows :

[Translation.]

#### THIRD PROTOCOL.

Protocol concerning the dotation of the International Bureau of the Union for the protection of Industrial Property between Belgium, Brazil, Spain, The United States of America, France, Great Britain, Guatemala, Italy, Norway, The Netherlands, Portugal, Sweden, Switzerland and Tunis.

#### TROISIÈME PROTOCOLE.

Protocole concernant la dotation du Bureau International de l'Union pour la Protection de la Propriété Industrielle conclu entre la Belgique, le Brésil, l'Espagne, les Etats-Unis d'Amérique, la France, la Grande Bretagne, le Guatemala, l'Italie, la Norvège, les Pays-Bas, le Portugal, la Suède, la Suisse et la Tunisie.

The undersigned Plenipotentiaries of the Governments above named,

In view of the declaration adopted March 12, 1883, by the International Conference for the Protection of Industrial Property convened at Paris,

Have, with one accord and subject to ratification, concluded the following Protocol:

#### ARTICLE 1.

The first paragraph of No. 6 of the final Protocol annexed to the International Convention of March 20, 1883, for the Protection of Industrial Property is annulled and replaced by the following provision.

"The expenses of the International Bureau instituted by Article 13 shall be supported by the contracting States in common. They cannot in any event exceed the sum of sixty thousand francs per annum."

#### ARTICLE 2.

The present Protocol shall be ratified, and the ratifications thereof shall be exchanged at Madrid within a period of six months at the latest.

It shall take effect one month after the exchange of ratifications, and shall have the same force and duration as the Convention of March 20, 1883, of which it shall be considered as forming an integral part.

In testimony whereof, the Plenipotentiaries of the States above named have signed the present Protocol at Madrid, the fifteenth day of April, one thousand eight hundred and ninety-one.

For Belgium, TH. DE BOUNDER DE MELS BROECK.

For Brazil, LUIS F. D'ABREU.

Les soussignés Plénipotentiaires des Gouvernements ci-dessus énumérés,

Vu la Déclaration adoptée le 12 Mars 1883 par la Conférence internationale pour la protection de la propriété industrielle réunie à Paris,

Ont, d'un commun accord, et sous réserve de ratification, arrêté le Protocole suivant:

#### ARTICLE PREMIER.

Le premier alinéa du chiffre 6 du Protocole de clôture annexé à la Convention internationale du 20 Mars 1883 pour la protection de la propriété industrielle est abrogé et remplacé par la disposition suivante:

"Les dépenses du Bureau international institué par l'article 13 seront supportées en commun par les Etats contractants. Elles ne pourront, en aucun cas, dépasser la somme de soixante mille francs par année."

#### ARTICLE 2.

Le présent Protocole sera ratifié, et les ratifications en seront échangées à Madrid dans le délai de six mois au plus tard.

Il entrera en vigueur un mois à partir de l'échange des ratifications, et aura la même force et durée que la Convention de 20 Mars 1883 dont il sera considéré comme faisant partie intégrante.

En foi de quoi, les Plénipotentiaires des Etats ci-dessus énumérés ont signé le présent Protocole à Madrid le quinze Avril mil huit cent-quatre-vingt-onze.

Pour la Belgique, TH. DE BOUNDER DE MELS BROECK.

Pour le Brésil, LUIS F. D'ABREU.

For Spain, S. MORET, MARQUIS DE  
AGUILAR, ENRIQUE CALLEJA, LUIS  
MARIANO DE LARRA.

For The United States of America,  
E. BURD GRUBB.

For France and Tunis, P. CAMBON.

For Great Britain, FRANCIS CLARE  
FORD.

For Guatemala, J. CARRERA.

For Italy, MAFFEI.

For Norway, ARILD HUITFELDT.

For The Netherlands, GERICKE.

For Portugal, COUNT DE CASAL  
RIBEIRO.

For Sweden, ARILD HUITFELDT.

For Switzerland, CH. E. LARDET.

“ “ MOREL.

Pour l'Espagne, S. MORET. MAR-  
QUÈS DE AGUILAR, ENRIQUE CAL-  
LEJA, LUIS MARIANO DE LARRA.

Pour les Etats-Unis d'Amérique, E.  
BURD GRUBB.

Pour la France et la Tunisie, P.  
CAMBON.

Pour la Grande Bretagne, FRANCIS  
CLARE FORD.

Pour le Guatemala, J. CARRERA.

Pour l'Italie, MAFFEI.

Pour la Norvège, ARILD HUITFELDT.

Pour les Pays-Bas, GERICKE.

Pour le Portugal, COMTE DE CASAL .  
RIBEIRO.

Pour la Suède, ARILD HUITFELDT.

Pour la Suisse, CH. E. LARDET.

“ “ MOREL.

And whereas the said Protocol 3 has been duly ratified by the signatory Powers, and the ratifications thereof were exchanged at the City of Madrid, on the fifteenth day of June, one thousand, eight hundred and ninety-two;

Now, therefore, be it known, that I, BENJAMIN HARRISON, President of the United States of America, have caused the said Protocol 3 to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 22nd day of June, in the year of our Lord one thousand eight hundred  
[SEAL] and ninety-two and of the Independence of the United States the one hundred and sixteenth.

BENJ HARRISON

By the President:

WILLIAM F WHARTON

*Acting Secretary of State.*

[NOTE.—Ratifications of Protocol 4 were not exchanged. The Protocol was referred to the next Conference to be held at Brussels. See telegram from United States Chargé at Madrid, June 15, 1892.]











